from others. But everything *he* had done, he reassured the nation, was legal. And it had been done only to protect us from enemies foreign and domestic—for reasons of "national security": the document repeated the phrase twenty-two times.

This time, the reviews were dreadful. The *Times* said the statement had "the quality of a lawyer's brief on behalf of a client trying to defend himself." A political cartoonist showed Nixon wrapped in an American flag, simpering, "Help! My name is National Security and I'm being threatened!" Another depicted a flag emblazoned across Nixon's chest covered with hundred-dollar bills and "Mexico" stickers. In a third, the president pulled a giant American flag curtain across a theater proscenium marked "Watergate investigations" and announced, "That's all, folks!"

On May 19 the new attorney general nominee, whom the president had introduced in his April 30 speech, Elliot Richardson, appointed Archibald Cox, his former professor at the Harvard Law School, as Watergate independent prosecutor. In Richardson's confirmation hearings he had pledged Cox would have "full authority" to investigate the scandal. But Richardson's stipulation that as attorney general he would retain "ultimate power of removal over the special prosecutor" introduced a note of controversy into the proceedings—how independent would the independent prosecutor truly be? So Richardson, a suave Brahmin of the Eastern elite, gave his personal pledge he would not "countermand or interfere with the special prosecutor's decisions or actions." Cox stood next to Richardson at a press conference and pronounced himself satisfied he had all the independence and authority he required to bring the guilty to justice even if the evidentiary trail should take him straight to the Oval Office. On May 24, the Senate confirmed Richardson, 82 votes to 3. Ronald Reagan still wondered what all the fuss was about. He said Watergate was "not criminal, just illegal."

THANK GOD, NIXON HAD TO THINK, A PRESIDENT HAD THE POWER TO stage useful distractions. The week before the hearings began, he announced Soviet leader Leonid Brezhnev would visit the United States in the middle of June, for the first time since 1967 (which surely would consume some of the oxygen that might otherwise be devoted to the first anniversary of the Watergate break-in, on June 17). And then, on the day of Richardson's confirmation, the Vietnam POWs descended on Washington, D.C., for their most rousing patriotic spectacle yet.

The festivities began with a presidential speech (officially a "briefing") to more than five hundred POWS decked out in blinding dress whites at the State Department amphitheater. The subject was his tormenters in the media and on Capitol Hill who accused him of excessive secrecy. "Had we not had . . . that kind of secrecy," he said, "you men would still be in Hanoi rather than in Washington today." He added, pumping the words out with rhythmic intensity, "I think it is time to stop making heroes out of those who steal secrets and publish them in newspapers." At the reference to the Pentagon Papers, the standing ovation lasted for over a minute.

The heroes moved out to a mammoth red-and-yellow circus-style tent, two by two with their dates, more than a thousand guests flown in for the occasion at government expense—the biggest dinner in White House history, the press was informed. There, the president toasted the Christmas bombings to another standing ovation. He praised the POW wives as the "First Ladies of America." Then—the same day a *Chicago Tribune* cartoon depicted a gaggle of housewives worshipping a golden calf and an anthropologist observing, "I think it started when steak went to three dollars a pound"—they settled down to a sirloin steak banquet.

The president seemed almost giddy. He shook hands with every single one of the more than six hundred men, some for a minute at a time, as if their energy might rub off on him. He led a rousing chorus of the "POW Hymn," composed by Air Force Colonel Quincy Collins in the Hanoi facility known as the "Zoo" in 1969. He went to bed looking forward to the next day's blanket coverage. But the utterances from the green witness table sucked up all the media oxygen instead.

The former FBI agent who had monitored the DNC bugging from a listening post in a Howard Johnson's hotel room across the street explained how he'd been dispatched to spy on congressional offices. Cuban burglar Bernard Barker was asked why he'd been willing to participate in burglaries. He replied that the operation had been presented to him as "a matter of national security" ordered by a level "above FBI and CIA." Senator Baker wondered what would motivate a World War II hero, a successful businessman, "to do something that you knew to be illegal." At that things got downright surreal: "Senator," Barker replied, "E. Howard Hunt, under the name of Eduardo, represents to the Cuban people their liberation." Herman Talmadge of Georgia asked who he thought backed the operation. He answered, Nuremberg-style, "Sir, I was there to follow orders, not to think."

The gallery laughed. Barker, however, choked up. "I am part of a team with which I am very proud to be associated. We'll have to live with the term 'burglar.' But we resent, very emotionally, the words that we were 'hired.' There was no need to buy our silence. We were not for

sale. . . . We're just plain people who very truthfully believed that Cuba has a right to live."

With material like that, who cared about Richard Nixon's little garden party for POWs? ABC gave nine minutes to Watergate and forty seconds to the gala—concluding, over footage of the cheering men at the State Department auditorium, with the latest Watergate revelation: that John Dean had surreptitiously removed incriminating Watergate documents from the White House. The most widely distributed UPI story about the party concerned the unfortunate tale of POW Michael Branch. He had initially turned down his invitation because of dental work scheduled at Fort Knox, then traveled to Washington to attend when that work finished ahead of schedule. He was turned away at the door—almost certainly because he'd been a member of the Peace Committee in Hanoi.

A titillating AP wirephoto from the party, captioned "WHITE HOUSE GUESTS: *Playboy* magazine model Miki Garcia, who has a 38-22-36 figure on a 5-foot-4, 108-pound frame, arrives for gala dinner with her date, ex-POW Galand Kramer," might have been the most damaging PR all. For it obliterated the very political purpose of Operation Homecoming—to reassure Americans they had returned to the innocence they had supposedly once known.

Pointing up the POWs' solid, stand-up American families had been key to the day's choreography. To many Americans that was what the POWs were *for.* Evangelical Christians had practically adopted them as mascots: signing them up to fill stadiums at "Youth for Christ" rallies; turning their memoirs into TV movies; recruiting them for spiritual retreats in the Colorado Rockies hosted by astronaut-cum-evangelist Jim Irwin. A *Playboy* bunny at the White House on the arm of a recently divorced POW queered the sale. It served as a reminder of how badly out of joint the nation had become, and how little anyone, whether evangelist or president, could do about the revolution in sexual mores.

A dominant narrative in newspapers about POWs now was that their families were disintegrating just as quickly as everyone else's—including Vietnam veterans, 38 percent of whom, according to one study, separated from their wives within six months of returning to the States. One could read of how Fred Cherry sued his wife for divorce on grounds of adultery, then filed a lawsuit to get the back pay she had spent while he had been in captivity; or how the fifth-longest-held POW, Ray Vohden, returned home to learn his marriage was over and was amazed to find that his wife, and his comrades' wives, now openly "admit to relationships with other men that we regard as misconduct"; or that the first captured flier, Lieutenant Everett Alvarez Jr., returned to divorced parents and a wife pregnant by a new husband—a situation, he told the press, that felt like being "back in torture." At the gala, POWs had been wary of greeting any comrade's female companion by name for fear she was not the wife their comrade had spoken of so lovingly and longingly in their cells.

Broken marriages were everywhere now—especially in California, where Ronald Reagan, in 1970, had signed the nation's most liberal "no-fault" divorce law. Its most avid lobbyists had been not libertines but lawyers, sick of a system that required one-half of every miserably incompatible couple to invent some trumped-up offense upon which to "sue" the partner, making attorneys a party to fraud. Since a stringent honesty in family matters was now seen as a necessity for social health, thirteen other states followed by 1973. A divorce deluge followed. "The Broken Family," the cover of the March 12, 1973, *Newsweek* read—the same issue where, on the letters page, readers responded to the *Newsweek* cover two weeks earlier featuring POW "Lt. Comdr. Paul Galanti and Wife," he in dress khakis and she in Jackie Kennedy white gloves, "the most wonderful cover I have ever seen on any magazine!" according to one letter writer. "It is they who are whole and the rest of us are the ones who are fragmented," wrote another.

Then, flipping the pages further, readers learned that at the current rate, four out of ten couples who married in 1973 would end their union in divorce.

In *Newsweek*, an Atlanta marriage counselor wondered what the point of matrimony was in the first place: "People get married because they have a fantasy of exclusive possession that duplicates the parent-child relationship." In a book published the next year, *The Courage to Divorce*, Susan Gettleman and Janet Markowitz argued that divorced women "almost without exception look and feel better than ever before," and that their children would gain "greater insight and freedom as adults." But a juvenile court judge quoted in *Newsweek* worried about the increasing number of couples in which neither wanted custody of the children. "It's a critical problem," he said. "We are having a wholesale abdication of parental responsibility."

Upon one thing, however, all the experts could agree: nowadays, as one said, "getting divorced is not much different from taking a bath." *It's Not the End of the World*, insisted the title of a novel for preteen girls by an author named Judy Blume. The plot begins with a young adolescent, whose parents are getting divorced, rhapsodizing about a story she has seen on television about two separated parents whose little boy

was kidnapped, then found by the FBI: "The mother and father were so glad to see him they decided to make up and everyone lived happily ever after. It was a nice show." She hatches a similar scheme to reunite her parents. She then learns to accept her parents' separation by reading a volume titled *The Boys and Girls Book About Divorce*. This was an actual book, by a faculty member at the Columbia University College of Physicians and Surgeons, reviewed glowingly in *Time* magazine. It confidently asserted, in a line quoted in the novel, "Fathers who live close by but do not visit and fathers who live far away and hardly ever call or write either do not love their children at all, or they love them very little." Her story ended with an epiphany: "I'm through fooling myself." The cover tagline read, "A novel about love and real life."

"Real life": even kids were expected to join the suspicious circles now.

That summer, in the small town of Pekin, Illinois, a local physician started an advice column. He wrote in his inaugural article, "I would not give 'the pill' to a teenage girl just because she asked for it"—yet he added that it went without saying that he might if the circumstances were right. Advice to teenagers used to be different. A decade earlier Pat Boone sold several hundred thousand copies of *Between You, Me, and the Gatepost* dispensing wisdom like "KISSING is something that belongs to the One-And-Only, that one you hope to love some day . . . and you'd better start right now taking care of yourself for that ONE."

The previous year a divorced father in the ABC TV movie *That Certain Summer* explained his "homosexual lifestyle" to his fourteen-year-old son. The sitcom *Maude* featured an arc of episodes concerning abortion. The ancient Anglo-Saxonism *fuck* was introduced for the first time into the *Oxford English Dictionary*. Johnny Carson was no longer required to have his *Tonight Show* monologues prescreened by network censors. In January 1973 the Supreme Court, in *Roe v. Wade*, made "abortion on demand"—in the words of its vociferous detractors, who were not many, were not well organized, and were most of them Catholic—legal in all fifty states. In 1969, 68 percent of respondents had told Gallup that premarital sex was wrong; only 48 percent said so now.

"'Masters and Johnson' are two names you'll be hearing a lot about, and their book *Human Sexual Response*," bushy-mustached Gene Shalit had explained in the February *Today* show roundup for the returning POWs; in the book, the married scholars concluded from observations of humans coupling in their laboratory that during sex any woman could have, and should demand, an orgasm. Later, Masters and Johnson and their imitators opened clinics in which husbands and wives received hands-on instruction on how to proceed. The aim of their work, they explained in an interview that summer in the *Los Angeles Times*, was to disassociate sex from sin; sexual pleasure, they said, was simply "natural."

America went orgasm crazy—a development, it turned out, quite salubrious to the publishing industry. Dr. David Reuben's *Everything You Always Wanted to Know About Sex but Were Afraid to Ask* was only the first pedagogical bestseller of many. (Its areas of instruction included something called "69": "She feels the insistent throbbing of the organ against her lips and experiences a slightly salty taste, as well as the characteristic but not unpleasant odor of the sudoriferous glands of the area. . . . By simultaneous cunnilingus and fellatio every possible sense is brought to a fever pitch and a mutual orgasm occurs rapidly.") Other volumes littering the bedside tables of suburban couples: *The Sensuous Woman*, by "J." (it was parodied in newsweekly ads for the Japanese automobile manufacturer Datsun: "*The Sensuous Car*, by 'D.'"), "the first *how*-to book for the female who yearns to be *all* woman." *My Secret Garden: Women's Sexual Fantasies*, which consisted of the answers its author, Nancy Friday, had received from an advertisement she took out reading "FEMALE SEXUAL FANTASIES wanted by serious female researcher. Anonymity guaranteed." Chapter titles included "Insatiability," "Pain and Masochism, or, 'Ouch, Don't Stop!'" and "The Zoo."

Couples flocked to films like *Deep Throat* (it made $25 million showing in seventy-three cities, despite or perhaps because of the criminal court judge in New York City who proclaimed its four episodes of cunnilingus and seven of fellatio—he counted—a "feast of carrion and squalor"), and *Behind the Green Door*, which began its run as the highest-grossing sex film ever at a gala Manhattan premiere, the social event of the season (the projectionist showed the reels out of order; no one noticed). The cover of a book called *Loving Free* advertised, "For the first time a real couple tells how they broke through their inhibitions to develop sexual excitement and joy in marriage." Not to learn to do so, men discovered, was to risk being drummed clear out of the marital bed, perhaps via a no-fault divorce. The authors had first published *Loving Free* anonymously, the preface explained, "because of the effect this frankness might have on the lives of their children" ("Making love standing up kills your arches!" . . . "Now that we've mentioned vibrators . . ."). Then they changed their minds, surprised to learn that none of their children's friends cared—the younger generation had already relieved itself of its sexual innocence by sneaking copies of *Loving*

Free from the nooks that parents believed were perfect hiding places. The authors undertook a publicity tour, beginning in their conservative hometown, Milwaukee.

For some POWs it was agonizing. Women, sex, the family: who could have imagined such verities could *change*? The POW who chopped down the hometown billboard reading HANOI RELEASE JOHN NASMYTH and appeared on *Sonny & Cher* published an op-ed for the *Los Angeles Times:* he claimed to have been neither surprised nor disconcerted by the long-haired men, the new slang, the short skirts ("indeed, I hoped the mini wasn't just a fad"), but said he was flummoxed by "women's lib," which he described by telling the story of revisiting his old favorite cocktail lounge one Friday afternoon. "The couple at the next table were having a heated discussion which ended abruptly when the woman shouted an obscenity and commanded, 'Buster, get out of my life.' The red-faced dude left and the attractive, though somewhat foul-mouthed, young lady turned to me. . . . almost without pausing for breath, she said, 'You look like a nice guy. Want to come over to my apartment for a little while?'

"'I've got a date in an hour,' I said.

"'Hell, that's plenty of time.'"

Captain Nasmyth was out of step. Researchers at the Kinsey Institute had carried out a massive new survey in 1972, learning that four-fifths of men surveyed—and no less than 100 percent of women—thought the idea of the woman initiating sex was just fine. They also found that 75 percent of men and even more women thought schools should teach sexual education, and that only 8 percent abjured masturbation, 85 percent approved of cunnilingus, and only 5 percent of men over the age of twenty-four were virgins. But not all POWs were out of step. Many were glad to join the revolution.

"I've been visiting friends in Los Angeles," Mormon POW Jay Jensen said early on after his release, "and most everybody is divorced." He was astonished, but not for long. "I feel that I have spent six years in hell and that I have been resurrected and I'm going to start a new life," he decided, before choosing a new mate of his own using a "Prospective Wife Analysis Chart." He then squired her on an extended honeymoon, made up of the free vacations a grateful nation had given him for his sacrifice. Another POW blew his stack when he saw the way his seventeen-year-old son dressed. "Well, six months later, *I* had red pants, a white shirt, and a blue jacket."

Then there was Captain Galand Kramer of Tulsa, Oklahoma, last seen on the news holding up his hand-lettered scrawl GOD BLESS AMERICA & NIXON and gingerly trying on a pair of bell-bottoms at the PX. He soon found himself divorced by a woman's liberationist who explained to the *New York Times,* "I could either exist or live. Life has too many facets to dwell on one." So Galand Kramer decided to live as well. On the Freedom Birds the men had passed around stacks of *Playboy* magazines, gifts from the Clark Air Base medical officers. That was where he met Miss January 1973, she of the diaphanously backlit amber halo of hair, glistening lips, extravagant eyelashes, and green glass beads playing peekaboo with her ample left breast—and also a patch of pubic hair, an innovation *Playboy* had introduced one year earlier to compete with raunchier upstart *Penthouse,* to the delight of the surprised POWs.

And now Miss January was Captain Kramer's girl.

Gay Talese, the legendary New York journalist, was writing a book on how the sexual revolution had come about. He was a nice Catholic boy who was a sophomore in college the first time he masturbated. Talese began his research in 1971 by canvassing the "massage parlors" of Manhattan, where one could order up a "girl" from a photo album, then disappear with her into a back room.

"Do you want anything special?" said the girl to the journalist.

"Can we have sex?"

"I don't do that. I don't French, either. I only give locals."

"*Locals?*"

"Hand jobs."

"Okay. I'll have a local."

He enjoyed himself so much, the married Talese wrote in the book that ensued, *Thy Neighbor's Wife,* that he spent "the remainder of that year and into 1972" visiting massage parlors so often that he became "socially acquainted not only with the masseuses but also the young managers and owners."

Richard Nixon's most frequent Oval Office rants had long since consisted of perorations of how the sickening sexual excesses of liberal elites were bringing Western civilization to its knees (his recent obsession was the simultaneous appearance of *Last Tango in Paris* on the covers of *Time* and *Newsweek*). In moral matters, Gay Talese seemed more in touch with the electorate than the president. Nixon had tried sweeping America's moral confusion under a red-and-yellow tent. He was met with citizens wondering in letters to the editor why the president had to insult "families of those killed in Vietnam" just "to get an audience responsive to his views and ego needs." One wrote, "How many spectacular extravaganzas has he held for the permanently injured Vietnam veterans who go through living death each day in the veterans

hospitals throughout this land?" A new Gallup poll had his approval rating 23 points lower than it had been only three months earlier. The suspicious circles were expanding.

JUDGE SIRICA'S COURTROOM BECAME A STOP ON WASHINGTON TOURIST itineraries. And new Watergate stories popped up every day: about rich backers who had appointed the president's "Western" and "Southern" White Houses—in San Clemente, California, and Key Biscayne, Florida—with guesthouses, swimming pools, and elaborate gazebos, and built him a little bowling alley beneath the north portico of the White House. But Nixon had also spent hundreds of thousands from *public* funds to improve the properties—first the White House said only $39,525 had been spent on "Casa Pacifica," then $354,252, a figure ultimately revised to $1.8 million, but only for "security purposes." ("Nixon is absolutely right," a liberal wrote the *Detroit News* in response to a Nixon economic speech. "He told us that we are the best-housed people on earth . . . he is the first President in our history with three houses.")

G. Bradford Cook, chairman of the Securities and Exchange Commission, resigned after being on the job for less than three months, caught up in the emerging scandal involving financier Robert L. Vesco that would lead to the indictment of, among others, Nixon fund-raiser Maurice Stans and Attorney General John Mitchell. Elliot Richardson, the new attorney general designate, one of few Nixon hands still held to be above reproach, was accused of hiding his knowledge of John Ehrlichman's responsibility for ordering the Ellsberg break-in.

More fake letter-writing campaign accusations. More revelations on scandals long thought buried: bribes from the dairy industry to the reelection campaign in exchange for favorable price support decisions; Howard Hunt sent to California to harass a lobbyist named Dita Beard who had information implicating CREEP for taking bribes from the conglomerate International Telephone & Telegraph, in exchange for the dismissal of an antitrust suit; American Airlines confessing to an illegal $75,000 cash donation to the reelection campaign at the personal insistence of presidential fund-raiser Herb Kalmbach. Revelations that Howard Hunt had been ordered to raid the apartment of the assassin of George Wallace to plant Democratic literature there. Accusations that Hunt "had a contract" from "low-level White House officials" to murder the president of Panama for not obeying American Bureau of Narcotics directives. And on and on.

A typical network newscast might have five or more Watergate segments. A *New York Times* "The Watergate Web" chart included sixty-four names. A May 28 Harris poll found 81 percent of Americans agreed that corruption in Washington was "serious"; only 27 percent said they respected the federal government. Plain-speaking Midwesterners feared fascism: "Don't say 'it can't happen here.' It can and it could," a *Chicago Tribune* reader wrote. "General Haig, in full uniform, is Nixon's chief assistant. (Alexander Haig had replaced Haldeman as White House chief of staff.) A former CIA man is Secretary of Defense."

On Memorial Day, Senator Edmund Muskie stood at the grave of FDR and decried how "'national security' became the excuse for systematic deception"; in Milwaukee, Representative Clement J. Zablocki cited as his contribution to Memorial Day the unprecedented vote in his House Foreign Affairs Subcommittee authorizing by a tally of 8 to 1 a "War Powers" bill cutting off the president's extralegal bombing in Cambodia within 120 days of passage. It was the first time in history a congressional panel had voted to undercut a military action the president insisted was necessary.

THE NEXT DAY FRONT-PAGE HEADLINES REPORTED COLONEL THEODORE Guy had filed accusations of treason against eight fellow prisoners. A Peace Committee member countersued Colonel Guy for defamation, saying the hard-liners' entire story of creating a military command under trying circumstances had been a lie made up to salve their guilty consciences for cooperating with their captors.

The civil war within the POW community exploded into view at the worst possible time for the president. "A decision to go on trial could open up a Pandora's box," that Sunday's *Times* Week in Review observed. There was "enough in that box for a renewed debate about a war that seemed at one point on the verge of slipping mercifully into history." The next day a Canadian diplomat sent to observe what was supposed to be a cease-fire in Cambodia told the press he had spent his time dodging American bombs: "In fact, what we have been doing is observing a war."

Next, a POW named Edward A. Brudno was found with his head in a plastic bag. In captivity, Brudno spent seven years composing an epic 127-verse ode to his wife. He came home, his rabbi told the media, to discover the "wife he had known in her youth and immaturity . . . had developed into a very strong person . . . he couldn't stand it." He was also despondent about America's reconciliation with China: for hadn't

containing the Maoists' imperial lust been one of the major reasons for his sacrifice in the first place? His suicide note, written in French, read, "There is no reason for my existence . . . my life is valueless."

Still, the POWs were heroes: that was all the right cared to know. James J. Kilpatrick, editor of the conservative daily the *Richmond News-Leader*, who appeared weekly on CBS's *60 Minutes* holding down the right side of the weekly "Point/Counterpoint" debate segment, portrayed Brudno as a martyr to the Communists' cunning perfidy: "The Pentagon tried, but the North Vietnamese won." And on the day of Nixon's POW gala, Ronald Reagan posted a friendly letter to his childhood minister in Dixon, Illinois. On Watergate, he said, "we are witness to a lynching . . . to watch the 'night riders' ignore the harm they are doing to our nation in these troubled times makes me a little sick." So he was so very grateful for his beloved POWs. "These men without exception became stronger, kinder, gentler, and more sensitive men because of their experiences." (*Without exception.*) "Many who had no particular faith before are deeply religious. Man after man told us very simply he lived to come home only because of faith in God. I try to think of them when I see the daily headlines."

And, from the other side: the POWs were villains. That was all many on the left cared to know. The week of Brudno's suicide, Jane Fonda published a long letter on the POWs in the *Los Angeles Times* accusing the POWs of "trying to pose as the heroic victims when they are responsible for killing countless Vietnamese."

The full House Foreign Affairs Committee approved the War Powers bill 31 to 4. Clem Zablocki, meanwhile, opened hearings on the Vietnam "Missing in Action" issue. The point was to debunk a spreading fantasy. It failed. That 1,300 men were still counted as MIA was just an artifact of misleading statistics, he said: from the testimony both of the returnees and of the North Vietnamese, we know "there are no missing in action or prisoners of war in Southeast Asia at this time that they believe are alive." Which only meant, to many POW-MIA families whom the White House had politically organized for cynical reasons in the first place, that Congress was part of the cover-up. "Why are you willing to believe the enemy on this subject when they do not tell the truth on any other subject?" the Corpus Christi, Texas, chapter of the National League of Families soon raged in a letter to the Pentagon. "The fact is, *you have no proof our men are dead.*"

AT LEAST NEARLY ALL AMERICANS AGREED ON ONE THING: THE COUNTRY was in the midst of an "energy crisis." In January, Senator Henry "Scoop" Jackson of Washington had called it "the most critical problem—domestic or international—facing the nation today." *Newsweek* spoke of "doomsday implications." Des Moines almost ran out of heating oil in a record cold winter; Denver high schools went on three-day weeks to conserve fuel. Then came spring, and panic. Utility officials in San Antonio cut gas allotments by 67 percent and the eleventh-largest city in the nation nearly went dark for the foreseeable future, but for a mercy mission of borrowed out-of-state fuel trucks, like the United Nations rescuing some tropical banana republic. Factories closed in West Virginia, Illinois, and Mississippi. Grain shipments were stranded on barges, and flights from New York's JFK Airport scheduled as "nonstop" had to make landings to refuel.

White House aide Peter Flanigan promised that "the United States is not going to go back to the cold, the dark, and the bicycle." That just sounded like another government lie. In June, two thousand independent service stations simply shut down. Thousands of others began imposing ten-gallon limits per purchase. The "Skylab" space station, just launched into orbit, was meant to pave the way for a permanent human presence in space. Soaring temperatures within the spacecraft almost scuttled the launch. An editorial cartoon parked the astronauts at a gas station: "Don't worry," a NASA official told them, "you guys can't go anyway. He can let us have only 10 more gallons of gas."

The most traumatic thing about the shortages was that nobody had heretofore dreamed such a thing possible. "Popeye is running out of cheap spinach," the commerce secretary said. But the idea that energy was a commodity subject to scarcity was a new concept. It was just *there*, like the birds in the air, like the air itself, an American birthright like milkshakes and spring rains and Opening Day. In 1955 the chairman of the U.S. Atomic Energy Commission had said electricity would soon be so cheap it would no longer be metered. In 1966 a government report predicted, "The nation's total energy resources seem adequate to satisfy expected requirements through the remainder of the century at costs near present levels." Now that abundance had become scarcity as if overnight, conspiracy theories multiplied. The Nixon administration "was acting in concert with the major companies to produce a shortage" in order to kneecap the independent oil producers, Senator Adlai Stevenson III rumbled; Senator Walter Mondale said energy companies were faking the shortage to spur construction of the controversial oil pipeline to Prudhoe Bay, Alaska, where oil had been discovered in 1968.

But Americans also blamed themselves. It was part and parcel of

a new vernacular ideology: civilization was destroying the earth. The evidence seemed to be everywhere. In Los Angeles, beaches were closed after five million to six million tons of raw sewage flowed into the Pacific when the pumping system failed. In New Jersey, thick, frightening patches of "red tide" choked the beaches—harmlessly, authorities insisted, though they were contradicted by newspaper warnings that "a toxic variety can irritate the ears, eyes, nose and skin." Annually, millions of pounds of smelly dead alewife fish washed up on Lake Michigan's shores; record earthquakes hit Nicaragua, Mexico, Peru, China, and Italy; dormant volcanoes mysteriously erupted in Iceland; Jerusalem suffered a snowstorm; 1,500 birds suddenly died in England; massive fish kills appeared in Lake Erie; floating islands of decaying vegetable matter emerged in the middle of the Caribbean; this spring, 1973, the Mississippi River spilled over flood protection gates in Louisiana for the first time in decades. "A growing, man-made dead sea of waste matter has seemingly come to life off the Atlantic Coast"—this was a *Los Angeles Times* editorial—"and is moving to rejoin the civilization that created it. At the center of this water contamination, no ocean creatures survive. On its fringes, diseased and rotted fish have been found. Within, chloroform bacteria and the viruses of encephalitis and hepatitis thrive, waiting for targets to attack." Two years earlier there had been a biblical infestation of gypsy moths on the East Coast. Who could deny the planet was in full-bore rebellion?

The Club of Rome, a gathering of wizards from the Massachusetts Institute of Technology supported by seventeen top scientists from six nations, published *Limits to Growth*, a report based on computer simulations that concluded the most benign possible outcome of current trends was the complete collapse of civilization by the year 2100—unless, that is, the world resolved to immediately shift to a "no-growth" economy. The book version sold four million copies. Another perennial bestseller, Paul Ehrlich's *The Population Bomb*, predicted "hundreds of millions of people are going to starve to death." The *New York Times*' new "environmental reporter" explained, "The industrial society is getting dangerously crowded, complex, and putrid.... We urgently need a change in social values," and "the shift can occur only if we have what the MIT group correctly calls a Copernican Revolution of the mind."

With that new household phrase, *energy crisis*, a new ideology arose: a sort of hair shirt patriotism. Young marrieds proudly announced their intention never to reproduce: "We've messed up this earth so badly it's going to come to an inglorious end in another generation or so," one couple told a researcher, "and so I don't want to be responsible for creating someone who has to live with the mess we've made." *Christianity Today* suggested readers walk more and ride bikes, the better, in the words of the Eighth Psalm, to "consider thy heavens, the work of thy fingers, the moon and the stars." In Burlington, Vermont, which announced its intention to become "Energy Conservation City USA," families signed a pledge to return to 1950 levels of energy use. A *Chicago Tribune* reader wondered, "It is hard to understand how, in the face of a gasoline shortage, we can continue to encourage stock car racing, the Indianapolis 500, and pleasure boating.... Better to go slow on gasoline than to be cold next winter."

Actually the synthetic methyl-based alcohol used to fuel Indy cars contained no petroleum. But people weren't getting hung up on details. Fuel companies started advertising for people *not* to use their product (Mobil: "Smart drivers make gasoline last"). Senators urged states to lower their speed limits. A citizen from rural Carpentersville, Illinois, wrote to the *Chicago Tribune* to chime in: "The oversized, overpowered, and status-styled car is no longer needed in modern living. Nor can we afford the waste of fuel to propel it. Its size also makes extra-wide highways essential." A new movie came out, about a future New York City grown to 40 million, homeless people lining the streets, the inhabitants rioting for the scarce "high-energy vegetable concentrates" they survive upon. Strawberry jam costs $150 a jar. The authorities encourage suicide to cull the herd, gifting those who choose death with access to video clips of all the animal and plant life the earth used to enjoy. In the movie's shock ending, it turns out food processors—the fictional doppelgängers of the rapacious energy companies—secretly harvested these human bodies to produce food. *Soylent Green* become one of the summer's hits.

The Los Angeles mayoral election the Tuesday after Memorial Day was watched as a national bellwether. Tom Bradley, the city's first black city council member, had lost his race for the office four years earlier, even though opinion polls predicted he would win. Political scientists interpreted the results as suggesting white voters either lied to pollsters so as not to sound racist, or simply could not bring themselves to pull the lever for a black man on Election Day. The same opponent, Sam Yorty, ran the same sort of scare campaign—only this time, Bradley *did* win. Perhaps Angelenos had become less racist—but the main reason for Bradley's success in a city that was only 20 percent black was his unprecedented "antigrowth" platform. In Los Angeles, planners had long boasted of having the most freeways of any city in the world and looked forward to the day when L.A. would have 10 million residents. Bradley

pledged public transportation instead. He also promised no more new housing would be built in open spaces. The day before yesterday, such ideas would have seemed downright un-American.

The statewide electorate had already approved a ban on all construction along the Pacific Coast and almost half of California's incumbent county supervisors had been voted out that year by amateur politicians promising curbs on their communities' growth. At the spring convention of the California League of Cities, 70 percent of the assembled mayors and councilmen attributed their election to their antigrowth positions. Selling austerity was the new political imperative. Richard Nixon's new Environmental Protection Agency proposed controls to contain smog, intended to reduce auto traffic by 60 percent in New Jersey by 1977. In Georgia, Governor Carter ordered state police to use slower patrol speeds and state workers to use stairs instead of the elevators for trips of two floors or less.

But some conservatives called the idea of an energy crisis a liberal conspiracy. One *Chicago Tribune* reader complained that our new "can't-do nation" had "followed the Nader flag into a forest of empty gas tanks." And Ronald Reagan said that if California ran short of energy that summer it would be the fault of environmentalists who wouldn't let nuclear power plants be built. And "there wouldn't be an awful lot" government could do about a fuel shortage anyway. The head of the state government's resources agency countered that there were plenty of things government could do—and that the reason nuclear facilities weren't being built was that their sites were on earthquake faults.

The 1970s were throwing up so many new ways for Americans to disagree.

IN A CURIOUS DEVELOPMENT, THE PRESIDENTIAL ASPIRANT WHO SAID WE shouldn't do anything about Watergate or the energy crisis was enjoying a political boom.

Nixon administration aide Kevin Phillips, author of *The Emerging Republican Majority,* published a feature in the June issue of *Harper's* called "Conservative Chic"—*Harper's* headline writers were ironic; the author was not—predicting the Nixon administration would "cement its coalition by creating a new managerial and communications establishment that merchandises the values that Middle Americans hold dear," and that "the liberal establishment of the Sixties will begin to wither." The nationally syndicated columnist Reg Murphy called that "the most ludicrous political analysis of our time." Most conservatives agreed with Murphy: all the ascendant ideological forces came from the

left. The *Wall Street Journal*'s editorialists agonized over an 85–10 vote on Senator Henry "Scoop" Jackson's bill to develop a mandatory national fuel-allocation formula: "The way the mood was out there today," they quoted a Democratic Senate source as saying, "they would have voted to nationalize the oil companies." Which, indeed, Scoop Jackson would soon be proposing.

Republicans were on the ropes, their titular leader an embarrassment: the press reported that the Richard M. Nixon Foundation, H. R. "Bob" Haldeman, chairman of the board, was putting plans for Nixon's presidential library "on the back burner"; the Week in Review reported, "In private, some Congressional Republicans are beginning to consider the political benefits that might flow from a Nixon resignation and the resultant ascent of Spiro T. Agnew." A big Republican National Committee fund-raising dinner in Washington, meanwhile, had been only half subscribed.

But a dinner for the state GOP in California headlined by Ronald Reagan was standing room only.

NBC News did a report on the curiosity. The governor, his head tilted to the side, his evening wear exquisite, was soon to head out for another turn on what he called the "mashed potato circuit." He said he was "itching" to sell his conservative beliefs. Asked whether the Watergate scandal helped his presidential chances, he replied charmingly, practically blushing, "Ahhhh, um—maybe distance lends enchantment!" His most prominent "kitchen cabinet" backer, Henry Salvatori (an oilman, which made him popular culture's new villain, though the Reagan camp apparently had no compunctions about putting him out front), said his man was in clover: "Because—I'll ask you a question: have we had one little ounce of scandal in California on anything in this administration? I'll answer for you—none at all!"

"So Governor Reagan as a national figure within the Republican Party has been strengthened by this Watergate?"

"Oh, he has been and will be. He stands twenty feet tall!"

"Or at least tall enough to keep his head above Watergate. Tom Brokaw, NBC News, Los Angeles."

CHAPTER SEVEN

John Dean

IN WASHINGTON, WATERGATE WAS NOW ALL BUT THE FOURTH BRANCH OF government. Some days it threatened to supersede the other three. Which was why the day before the hearings were set to resume on June 5, Clark Clifford, a towering figure among Washington's bipartisan "Wise Men," who had served all the Democratic presidents since Harry S. Truman, published an op-ed in the *New York Times*. "[T]he executive branch virtually has ceased to function," he lamented. "The public's loss of confidence is widespread and increasing. The credibility of Mr. Nixon has been seriously affected by four public statements he has made which are sharply contradictory." Foreign policy crises were being ignored; talented people had stopped applying for government jobs; the stock market was crippled, and it all would only get worse "as additional witnesses tell their stories and as men faced with the forbidding prospect of lengthy prison sentences decide to tell the truth."

Clifford proposed a solution. Under the Twenty-fifth Amendment to "that noblest of all documents, the Constitution of the United States," Vice President Agnew could resign; Congress, working in healthful bipartisan fashion, could propose three replacements from both parties of "outstanding ability and the highest character"; Congress would confirm a new vice president who would promise not to run for president in 1976; then the president could resign, an act that "would assure him a place in history for his unselfish dedication to the nation's good." The new chief executive would usher "into the Government the ablest individuals in the country," make "decisions based solely upon merit," and govern in concert with Congress just as the Founders intended.

The graphic accompanying the piece was Nixon removing the crown from his own head. If he did so, Clifford triumphantly concluded, a "government of national unity" could "transform the next three and a half years from years of bitterness, divisiveness, and deterioration to years of healing, unity, and progress." Civilization: saved. Who could disagree?

Conservatives, it turned out. Pat Buchanan, Nixon's right-wing speechwriter, took to the pages of the *New York Times* to howl that "the President's traditional adversaries are happily drawing up surrender terms." His conspiracy theory claimed that Clifford, Joe Kraft, and an unnamed political reporter had combined to force the president to "betray the mandate of 1972," not as nonpartisan patriots but as de facto operatives for George McGovern, who, Buchanan gloated, had won no more than "nine percent of the Florida and Wisconsin primaries." A former Republican congressman wrote to the *Chicago Tribune* that the "Watergate hullaballoo" was a "cover-up for an unconscionable attempt by Nixon foes to seize the presidency." Senator Jesse Helms of North Carolina said the "emphatic rejection of liberalism" at the ballot box in 1972 "was a bitter pill for some to swallow. Through a process of selective indignation, Watergate became the lever to reverse the judgment of the people"—even though Democratic improprieties "make Watergate look like a Sunday school picnic."

Opinions like these accounted for perhaps a third of the Watergate letters to the editor published by newspapers that spring and summer. Richard Nixon's aggrieved defenders insisted that his Javerts were "sabotaging our country here and abroad"; that a hysterical press "has made us appear to be a nation of adolescents" (this came from conservative publisher Henry Regnery); that they were "making an irresponsible attempt to destroy confidence in government itself just because of the admitted stupidity of a handful of people." It was, wrote a woman from Richmond, Virginia, "a disgrace to downgrade our President as some have." They did so, a City University of New York math professor argued, in order to deny President Nixon a nomination for the Nobel Peace Prize.

Many tied their critique to the POWs—those "magnificent Americans who understand honor, duty, sacrifice, and love of country as few of the rest of us do," who "know they can trust our President because his words and deeds have been proven by the passage of time and events. I for one join with these great patriots in backing Mr. Nixon and his policies." Ronald Reagan, for his part, still nearly broke up during the part of his speeches when he described meeting POWs: "Holding out was the only thing we could do, they told me, the only thing we could still do for our country.... Where did we find men like these, just ordinary guys.... American guys from the farms, from the small towns, from the cities..." Then he would launch into his peroration about why Republicans must not feel defensive: "The Republican Party has traditionally been the victim of shenanigans worse than Watergate. There is docu-

mentary proof." Or he would say that politicians should stop making statements about Watergate altogether: "It's time for us to shut up and let the law take its course," he barked from the national governors' conference, during an interview in which he said he wasn't even thinking about the 1976 presidential race.

And most of all, the Watergate defenders agreed with their president when he said his quest for national security explained everything the public needed to know about his administration's alleged wrongdoing—and that, a doctor in Bethesda, Maryland, wrote, "sure as hell is good enough for me."

The liberal media—the "pack of howling wolves" (Mrs. Robert Brauham of Peoria, Illinois)—had "been trying to discredit the Nixon Admin since it took office in 1969" (Richard Riggs of Corona del Mar, California), "printing every sleazy rumor that comes out of Washington before it is declared fact or fiction." Now they just operated under the color of Watergate. Where "nobody was murdered, nobody bodily maimed," complained C. A. Nolan Sr., Rural Route 4, Madison, Indiana—adding, "It been over 20 years since I have read or heard a word about the 'lost $81 million' that disappeared during the New Deal–Fair Deal years." No one talked about the Pearl Harbor conspiracy, either, a Morton Grove, Illinois, man pointed out—when, while "the President [was] examining his stamp collection, the chief of staff out riding, the fleet [was] maneuvered into Pearl Harbor as sitting ducks."

They made high-minded appeals to due process and Anglo-Saxon common law, attacked the very notion of congressional investigatory hearings (where "innuendo may pass for fact, rumor for reason"), and deployed liberal clichés to grind liberal noses in what they said was rank liberal hypocrisy. After all, one wrote, "The liberal politicians, who are most indignant, and the news media, which scream the loudest about Watergate, are the same ones yelling 'witching' and 'McCarthyism' when one of their group is caught with his hands in the cookie jar." In actual fact the committee was obsessed to a fault with non-incrimination; sometimes an hour of witness testimony would be gobbled up with excruciatingly boring circumlocution to avoid placing any individual in legal jeopardy. Senator Ervin had been one of the most loyal votes for Nixon in the Senate. The toughest questioner on the committee was Lowell Weicker, a Republican. No matter. To the diehards the hearings were an obvious Democratic congressional coup. The editorialists of the *Burlington Free Press* provided the context: "Certain people can never forgive President Nixon for (1) successfully concluding the war in Vietnam and (2) winning reelection in a landslide of historic proportions. So if the Nixon haters cannot embarrass the President on substantive things, perhaps the Watergate caper can raise a little dust." Besides, "In Red China and Russia there are hundreds of 'Watergates' and worse, but nobody could call attention to official misconduct, even if they dared to."

Then there was the way the liberal media worshipped the Kennedys. Protected them. Even though everyone knew they were more corrupt than Richard Nixon could possibly imagine—"wire tapping at the Watergate" being "childish pranksterism compared to the massive fraud perpetrated upon the American public in the election of John F. Kennedy by a small margin achieved by the massive vote fraud in Illinois and Texas." Hadn't Attorney General Robert F. Kennedy—liberal hypocrite!—been a champion of wiretapping? And what about Ted Kennedy? "I keep being reminded," a Louisville newspaper reader wrote, "of a girl named Mary Jo Kopechne." A bumper sticker emerged: NOBODY DIED AT WATERGATE.

Administration defenders in the mainstream media that spring and summer included syndicated columnists William F. Buckley and Nick Thimmesch, *National Review*'s Jeffrey Hart, and editorialists at right-leaning papers like the *Chicago Tribune*, the *Detroit News*, and the *Richmond News Leader*, which thought that Nixon's four-thousand-word statement "moves him toward the sunlight of restored public confidence," and that "the assignment given to various 'plumbers' . . . was a prudent, proper, and indeed indispensable assignment." In the media, they were decidedly in the minority. Most of his defenders were just ordinary letter-writing citizens.

One of them was Baruch Korff, a rabbi from Taunton, Massachusetts. After the *New York Times* turned down his letter to the editor denouncing the Ervin Committee's "noisy claque," which "resembles nothing more than the Parisian mob cheering and shouting as the tumbrels deposit their victims before the guillotine," Korff published it himself as an ad with his own money, and in just three days harvested three thousand letters of support, hundreds of phone calls, and thirty thousand dollars in donations.

The defenders could be quite funny. It could be a Communist plot, a *Chicago Tribune* reader argued, and maybe Sam Ervin was in on it, too: was he not one of the hounders of Joseph McCarthy? And "if Senator McCarthy had not been censured," this correspondent wrote, "we would not be in the mess we're in now."

But they could be frightening, too.

"Watching Watergate in Archie Bunker Country," said the cover of the June 18 issue of *New York* magazine. It began with the author, top-drawer trend journalist Gail Sheehy, recording what happened when the proprietor of Terry's Bar in Astoria, Queens, asked his patrons if he might tune the bar's TV to the hearings. Nine men cried "Forget it!" "The majority called for Popeye cartoons. But Terry couldn't find a channel that wasn't polluted with the 'search for unvarnished truth.' They had no choice. Television was suppressing their freedom not to know."

These ironworkers, sandhogs, elevator operators, and beer truck drivers said things like this: that Ted Kennedy "killed a broad" ("Now *there* was a mountain, and they made a molehill out of it"); that the Democrats "couldn't get themselves elected if they tried, so they're picking on the number-one man"; that George McGovern was the man behind the coup. (What about the fact that McGovern kept on defending Nixon? A man named Bernie responded: "That's the tip-off!") Terry, the proprietor, was building a house in the mountains: "When the revolution comes, I got it built like a bomb shelter." None of them voted—so they wouldn't show up on jury rolls. They treated a copy of the *New York Times*, slid across the bar by the reporter, like a hunk of plutonium: "No! I'm not interested in it!"

But they had opinions all the same.

On Daniel Ellsberg: "That guy, listen, if I were in charge of the country I would've found some way of shooting him." (Someone added, "If I was Nixon that's what I'd do—I'd shoot every one of them.")

On freedom: "My opinion, there's too much freedom in this country."

On political philosophy: "I'd take a police state over an anarchistic state. I'm not so sure a police state wouldn't be so bad in this country."

Besides, concluded Terry: "If there's any guilt on Nixon's part, it's only in the men he picked."

AS IT HAPPENED, ANOTHER, VERY DIFFERENT TRIBE OF WATERGATE OBservers made a similar case: Clark Clifford's sort of people. Washington insiders treated D.C. as their village. They found the idea that Watergate was all the fault of the bad seeds the president kept around him, rather than the president himself, a comforting thought.

These were the sort of people Nixon himself had always identified as his tormentors—the "Eastern liberal elite." By now they had more or less made their peace with him. They protected him—or protected something they grandiloquently referred to as "the presidency." And as

the scandal gathered steam they began addressing Dick Nixon as one of their own, a fellow gentleman of honor. Like Nixon's grassroots defenders, they shared a taste for kings.

Elliott Roosevelt, son of the thirty-second president, spoke for them from Lisbon, where Europeans were incredulous about Watergate: "The most frequent comment I hear is that 'America is destroying itself in the eyes of the world.' . . . Why does our leadership and our press seem intent on self-immolation for suddenly discovering moral beliefs when [spying] has been a way of life in our system since the start? . . . Why don't we just throw the inept offenders to the wolves and don't ruin the presidency?" Of the absurd, exculpatory stratagems issuing from the White House, they opined that the President of the United States could not possibly have had anything to do with them. "Only he can sweep aside preposterous claims of 'executive privilege' and order Mr. Dean and other White House aides to testify," the *New York Times* editorialized April 1. Which was not likely, given that Nixon was the one who had ordered the preposterous claims in the first place.

They labeled their scapegoats the "Orange County Boys": "Ehrlichman, Haldeman, and their assistants," *Time* wrote, "often regarded by veteran politicians as arrogant, inexperienced, and selfishly protective of the President." *Outsiders*, unschooled in their Village's ways; the "wrong sort"—attempting, Stewart Alsop sniffed in *Newsweek*, "to alter the very nature of the ancient American political system. Politicians have played tricks on each other since politics was invented. But this is not politics, this is war." If only the czar knew.

Syndicated columnist Bill Anderson mocked Bob Haldeman's déclassé interior decoration of the White House and said the underlying problem was that he had been an advertising man. *Time*'s mandarin in chief Hugh Sidey wrote, "the energies of these men were directed not at solving the problems but ignoring or minimizing them." The guiding metaphor was telling: they were *dirty*—like pollution. It pointed to the Village's preferred advice to the president: get rid of them, and you thus get rid of Watergate. "Nixon has a staff infection," their in-house comedian, Mark Russell, joked. If only more White House denizens could be like that nice Henry Kissinger, whom all of the pundits worshipped: "It is of considerable interest," Sidey wrote, "that the administration's leading humorist and bon-vivant—its most accessible major official—is Henry Kissinger, untouched by scandal and clearly the man who has achieved the most."

Remove the infection, went the argument, and Watergate went away; Washington could function again. And all the right people—people

like Henry Kissinger—could finally get back to work setting the world right.

Soviet officials preparing for Leonid Brezhnev's upcoming visit to Washington, columnist Peter Lisagor's sources were telling him, saw the inquisition against the president as an impediment to their ongoing attempts to establish a more stable entente between East and West. "They appeared to understand a truth about a nation's foreign policy that some"—the accursed *some*—"Americans have ignored, namely that it cannot be compartmentalized. Uncertainty, confusion, rot at a country's core has a debilitating effect along all its extremities. . . . A machine clogged at its center will function feebly, if at all."

Then Kissinger turned out to be tainted, too. The latest news was that he, not Nixon, had overseen the 1969 wiretappings—spying on his very own staff, some of the most distinguished young gentlemen in Washington. Joseph Kraft, one of Kissinger's best friends, had recently filed a column about the national security advisor's birthday party, titled "HENRY KISSINGER, THE VIRTUOSO AT 50." Maybe it would not have been so fulsome if Kraft had known at the time of its writing that Kissinger had tapped his phone, too, and that the bash, at Manhattan's tony Colony Club, included two men whose family phones had been bugged. "How Kissinger Fooled Us All," a *New York* magazine article proclaimed the next week. It was a mess. No one in all the right circles knew what to think.

Which suggests why Clark Clifford went out on a limb proposing the president's resignation. Clifford proceeded on the presumption that it wasn't really the president's fault, but he should fall on his sword nonetheless—as a "magnanimous action."

THE PRESIDENT'S CONNECTION WITH THE CONSPIRACY MIGHT SOON BE better understood. John Wesley Dean III, it was said, was working out some kind of deal to testify before the Ervin Committee.

Dean was the man who knew all the Watergate secrets. The president said so himself—ever since August 29, 1972, ten weeks after the break-in, when he announced that he had assigned his young counsel the task of investigating the scandal. The president explained Dean came back with a report that no one employed by the White House or his reelection committee had been involved in "this very bizarre incident." Dean then showed up in the news again early in March when it was revealed he had coerced the director of the FBI into sharing its files with the White House, sat in on FBI interviews of Watergate witnesses then lied

about it, and was perhaps involved in the destruction of evidence from E. Howard Hunt's safe in the days following the DNC break-in.

And then the news came: he was ready to testify under oath that he had been doing it all at the behest of the Oval Office. That was when Washington discourse about Dean started shifting. Reports began surfacing that he was in fact the *instigator* of the Watergate cover-up—perhaps even of the Watergate break-in itself.

And now he would probably be testifying on TV—telling tales, a June 3 *Washington Post* story revealed, of the thirty-five meetings with the president since 1972 in which they discussed the cover-up together. If true, that would make Nixon a notorious liar—since he said he hadn't even known of any cover-up until the middle of March 1973. "We categorically deny the assertions and implications of this story," came the response from the White House. Then, reporters asked, would the White House give the Ervin Committee the logs that had been kept of all the president's meetings, to prove the assertions untrue? *Never*, the president's spokesman replied. Until two days later the White House reversed itself, and said it would do exactly that.

In the matter of Dean versus the president, most Villagers knew exactly where they stood. Joseph Alsop spoke for them. "A general judgment of his character has been reached," he wrote: Dean was "a smooth-faced young man who is reportedly obsessed by fear of going to jail because of his consciousness of his own good looks." The very idea that the affairs of state of the greatest nation in the world, Alsop wrote the day Dean was granted limited immunity by the Ervin Committee, should be held up by "the self-serving allegations of a bottom-dwelling slug like Dean," a proven liar, was enough "to make all common sensible Americans exclaim, 'This can't go on!'"

It went on. The hearings would reopen June 5, with the three networks rotating gavel-to-gavel coverage. At night, PBS ran the whole thing again as a repeat. This was despite the request of special prosecutor Archibald Cox that televised hearings be suspended for three months to better preserve due process. The committee refused: "The American people are entitled to find out what actually happened without having to wait while justice travels on leaden feet," Sam Ervin responded in his usual orotund style. Editorial boards agreed. The *Louisville Courier-Journal* compared the TV proceedings to the Nuremberg and Eichmann trials—the public needed such public rituals to grasp "the point at which obedience to orders becomes a denial of higher and universal laws of civilized behavior"—and also the Army-McCarthy hearings, where "the

people finally grasped the essence of a kind of tyranny, rooted in public fear, that was as evil as anything it purported to expose."

THE NEXT DAY CAME BEFORE THE COMMITTEE A SOBER YOUNG MAN named Hugh Sloan. The discussion turned to questions of money, and things began to perk up.

Sloan had testified in the trial of the Watergate burglars about being instructed to pay massive sums in cash to G. Gordon Liddy in the summer of 1972, with no idea why. This was the very thing Judge Sirica had been most adamant about in his frustration over what the prosecutors had refused to pursue. Now the details were voluminously forthcoming.

The treasurer had been instructed by the campaign's deputy director, Jeb Stuart Magruder, to disburse $83,000 to Liddy in cash. Being a responsible young man, Magruder promptly reported this most unusual request to his superior, Maurice Stans, who had once been the secretary of commerce. What was the money for, he asked, and why did it have to be cash? "I do not want to know and you don't want to know," returned Stans.

Murmurs.

Legal tender had circulated like snowflakes in the offices of the Committee to Re-elect the President. April 6, 1972, the day before a new campaign finance law began requiring public disclosure of all donations, almost $1.8 million in cash had flooded the office. A number of key campaign figures, like Liddy and Herb Kalmbach, the president's personal lawyer, had authority to draw cash whenever they liked—entering the office with empty trunks, leaving with ones filled with hundred-dollar bills. His concerns, Sloan related, became more pressing after the arrests at the Watergate on June 17. He had by this point disbursed $199,000 in cash to G. Gordon Liddy. He approached John Mitchell for guidance.

"He told me, 'When the going gets tough, the tough get going.'" The hearing room erupted in laughter.

The melodramatic turns continued. Jeb Stuart Magruder explained to him that the FBI was going to be sniffing around the committee. He was not to respond with the truth. He was to say the amount disbursed to Liddy was not $199,000 but $80,000.

"He must have been insistent because I remember making to him on that occasion a statement, 'I have no intention of perjuring myself.'"

"What did he say to you when you said that?"

"He said, 'You may have to.'"

Sloan was directed to meet with the appointment secretary to the President of the United States, Dwight Chapin, a man in close contact with the president in the Oval Office every single day of the week. Chapin told him it was time for him to take a vacation. "He suggested that the important thing is that the president be protected."

He met later that same afternoon with Bob Haldeman, once more outlining his ethical concerns, which the chief of staff did not quite comprehend. "I believe he interpreted my being there as personal fear and he indicated to me that I had a special relationship with the White House, if I needed help getting a lawyer, he would be glad to do that."

Two weeks after that, Magruder took him to a bar and told him that he should tell federal investigators that the amount he gave G. Gordon Liddy was not $80,000, but $40,000. He refused. "Their reaction was incensed."

"Did they suggest you might take a little trip?"

"Yes, sir."

He got a phone call later that evening from another top campaign official, Fred LaRue, who "impressed on me the urgency of departure, to the extent of suggesting that I had a reservation on, I believe, a 6 A.M. flight at Dulles. He urged me to take a room at the Dulles Marriott that evening and to leave my home immediately."

Conveniently timed vacations, it seemed, were as common a currency at the Committee to Re-elect the President as trunks stuffed with hundred-dollar bills. Conveniently timed vacations; and also, it seemed, mafia-style threats. After Sloan returned, Fred LaRue told him to take the Fifth Amendment with the grand jury "to stay in the good graces of the campaign organization."

That same day, California liberal Republican congressman Paul McCloskey, who was known as "Pete," demanded an impeachment inquiry. A fascinating figure, he was a decorated Marine-turned-peace-crusader who'd mounted a quixotic presidential primary campaign against Nixon in New Hampshire in 1972 and wrote a book called *Truth and Untruth: Political Deceit in America*. He spoke on the floor for only six minutes before being silenced by a parliamentary trick by Earl F. Landgrebe of Indiana, a far-right congressman best known for his efforts to smuggle Bibles into the Soviet Union.

The next morning the *New York Times* printed a leak of Tom Charles Huston's 1970 security plan—which had included within its text a warning that the break-ins it was recommending to the president were "clearly illegal."

SLOAN WAS FOLLOWED BY ANOTHER FRESH-FACED YOUNG PRESIDENT'S man, Herbert Porter, the campaign scheduler. He described the same sorts of furtive meetings with Jeb Stuart Magruder, but whereas Sloan had responded with fits of conscience, Porter had cooperated. All this pricked the ears of Senator Howard Baker of Tennessee, one of the seven-member panel's three Republicans. Baker's 1966 ascension to the Senate in Democratic Tennessee had been in no small part due to his personal friend Vice President Nixon's campaigning on his behalf. The White House had hoped for him as an ally, but he never felt quite comfortable in the role. Instead he kept on turning the hearings' sessions to incredulous inquisitions about how the White House had managed to become such an ethical sewer. *Time* called him "The Man Who Keeps Asking Why." He was young, handsome, and eloquent (he soon won a place on *Women's Wear Daily*'s "stud list" alongside Robert Redford and Mick Jagger), and these interventions became an evening news staple.

"Did you ever have any qualms about what you were doing? I am probing into your state of mind, Mr. Porter."

"I understand. I think the thought crossed my mind, senator, that I really could not see what effect it had on reelecting a President of the United States. On the other hand, in all fairness, I was not the one to stand up in a meeting and say this should be stopped, either, so I do not—I mean there is space in between. I kind of drifted along."

Drifted along.

"At any time, did you ever think of saying, 'I do not think this is quite right, this is not quite the way it ought to be?' Did you ever think of that?"

"Yes, I did."

"What did you do about it?

"I did not do anything.... In all honesty, probably because of the fear of group pressure that would ensue, of not being a team player."

"What caused you to abdicate your own conscience and disapproval, if you did disapprove, of the practices or dirty tricks operation?"

"Well, Senator Baker, my loyalty to this man, Richard Nixon... I felt as if I had known this man all my life—not personally, perhaps, but in spirit. I was appealed to on this basis."

THE LIBERALS FOR WHOM THE HEARINGS WERE A NEW RELIGIOUS RITE settled in pleasantly for the long haul. A twenty-three-year-old in Cincinnati found himself perversely glad he was laid up the entire summer with a back injury; it let him sit home and watch every day on TV. A kid in Worthington, Ohio, began taking a transistor radio with him everywhere he went. A boy subbing on a friend's *Washington Post* paper route was late delivering the papers every day because he read the whole front section on somebody's porch before starting his day. An eleven-year-old who couldn't get enough of it wrote a fan letter to Sam Ervin, and two months later was thrilled to find a giant box filled with the entire transcript of the hearings on his parents' porch. A ten-year-old from Hawaii traveled with his grandma and mother and sister on his first visit to the mainland, including Disneyland, the Grand Canyon, his grandparents' home in Kansas, and Yellowstone, watching the PBS reruns at Howard Johnson's motels every night before bed. He later became the forty-fourth president of the United States.

Liberals wrote sanctimonious letters to editors. A *Washington Post* reader wrote regarding those frustrated at the preemption of daytime TV that they'd better pay attention or "you might find 'The Dating Game' preempted again in 1984." A man from Chicago mocked Nixon's supporters, who said, "Whatever he did, he did it for the good of his country." Another leader, he thrusted, had followers who said the same thing. "His name was Adolf Hitler."

Two hundred of them packed the House gallery on June 12 when New York City's Bella Abzug, who had introduced a resolution for Nixon's impeachment on her first day as a new congresswoman in 1971, and Berkeley's Ron Dellums, a self-described socialist, held the lower chamber's first impeachment hearing. Abzug mocked the pundits who implored the president to put the matter to a rest by telling the "whole truth": "clearly if telling the 'whole truth' would exonerate the President [he] would have done so long ago." They were voices in the congressional wilderness. Joseph Alsop wrote that no more than fifty members had any interest in impeachment, and approvingly quoted "one of the House's most influential Democrats" about John Dean: "You'd have to be crazy to want to impeach the President of the United States on the evidence of a man like that."

ON JUNE 12, HERB PORTER TESTIFIED ONCE MORE, ABOUT HOW HE SET UP fake demonstrations and organized the infiltration of Democratic campaigns, how he delivered memos stolen from Edmund Muskie's presidential campaign to John Mitchell. Then it was Maurice Stans's turn to answer why $1.777 million in mostly corporate donations had been given in cash in the frantic moments before the April 7 donation disclosure deadline. Why had records for these cash receipts and disburse-

ments been destroyed? And why was not Stans's dear old friend the president informed of this most unusual manner of handling campaign accounts?

"They were destroyed," Stans said, "because there was no requirement they be kept, and insofar as contributors were concerned we wanted to respect the anonymity that they had sought and that they were entitled to under the law—"

Ervin: "Were they destroyed before or after the break-in?"

"They were destroyed after the break-in and I would insist, Mr. Chairman, that there is no relevance between the two."

"You swear, you are stating upon your oath that there is no connection between the destruction of the records and the break-in of the Watergate or any fear that the press or the public might find out from these records what the truth was about these matters?"

There was, Stans insisted, absolutely none.

So why do it?

"Very simply, for the reason—"

"It's too simple for me to understand, really."

Stans tried again, offering that it was so every candidate and charity in town wouldn't be harassing the contributors for donations—which didn't make sense. The question wasn't why the campaign had kept contributions from the public; it was why it hadn't even kept a record for itself. Stans replied that there was nothing illegal in doing so. At that, Sam Ervin stuck in the shiv: "Mr. Stans, do you not think that men who have been honored by the American people as you have ought to have their course of action guided by ethical principles which are superior to the minimum requirements of criminal law?"

That was Sam Ervin all over. A fat old Southerner who looked like one of the bad guys from *In the Heat of the Night,* he was, once upon a time, the go-to strategist for anti–civil rights filibusters. He had opposed Medicare and called the feminists pushing the Equal Rights Amendment "blame fools." Now he was a liberal hero. Ballantine published a mass-market paperback of *Quotations from Chairman Sam,* featuring thirteen pages of photographs. In September he recorded an album of his favorite stories, right in the parlor of the modest little house where he'd been living with his wife for fifty years, in the same little town where he'd been born, where he began "reading law" in his dad's one-room office by the county courthouse when he was fifteen, like he was Abraham Lincoln or something. At the hearings he banged a rainbow-hued gavel carved for him by a local Cherokee Indian. "Just a country lawyer," he called himself—again and again and again.

He was, of course, much more than that: the law school from which he had graduated, with honors, was Harvard, and he had been a legislator since 1925—taking a break only to serve on North Carolina's supreme court. Critics quickly tired of the country-dumb act. The *Chicago Tribune's* cartoonist drew him as a talking doll: "Pull mah string and watch me do mah thing!" They mocked his pretensions to impartiality and moral seriousness: to him, wrote a Cincinnati man, "all witnesses are guilty, all witnesses are covering up, and all witnesses are liars. It's become an inquisition, not a hearing." A *Los Angeles Times* reader from Thousand Oaks said he "resembles my grandfather a whole lot, and my grandpa is a fine old chap, if I may say so." What he was not, however, was a suitable judge of presidents: "This man has become a national folk hero, and for what? For clobbering the President? For twitching his eyebrows and quoting the Bible?"

CONSERVATIVES HAD THEIR OWN HERO ON THE COMMITTEE TO CHEER, liberals a villain to hiss: Senator Edward Gurney of Florida, who like Howard Baker became in 1967 the first Republican senator in his state since Reconstruction—but who, unlike Baker, showed abject loyalty to Nixon, who had helped both win their elections in 1966. He dismissed Watergate as "one of those political wing-dings that happen every political year," and said that the very investigation he was a part of was having a "catastrophic effect on the institution of the presidency."

Ervin and Gurney butted heads when Maurice Stans took the stand. Ervin kept needling Stans about a payment of $50,000 from the Committee to Re-elect the President to Maryland Republicans to pad the take on an undersubscribed dinner in honor of Vice President Agnew. "They wanted it to look more successful than it apparently was," Ervin forced Stans to finally admit.

Ervin didn't let up: "Yes. In other words, they wanted to practice a deception on the general public as to the amount of honor that was paid to the Vice President."

"Mr. Chairman, I am not sure this is the first time that has happened in American politics."

"You know, there has been murder and larceny in every generation, but that hasn't made murder meritorious or larceny legal. . . ."

At that, Edward Gurney finally interjected like a defense attorney: "Mr. Chairman! I for one have not appreciated the harassment of this witness by the chairman!"

He did not prevail in his attempt to save Maury Stans, who was taking it upon himself to defend the poor millionaires whose names were

being dragged through the mud for the patriotic act of donating to Dick Nixon. "It is very unfair," he whined in an unfortunately aristocratic accent. "Somebody has got to speak up for these people." Ray Kroc, for example, the McDonald's hamburger magnate: he hadn't been interested *at all* in influencing the minimum wage law, nor the decisions of the president's price commission concerning the cost of beef. Stans offered himself as another example. "I volunteered or was drafted, whatever the case may be, because I believed in my president. You know by now from what you have heard, but I know you cannot feel, the abuse to which I have been subjected because of the associations I fell into. All I ask, Mr. Chairman and members of the committee, is that when you publish your report you give me back my good name."

That was not very likely. "Maurice Stans, President Nixon's top political fundraiser," a wire report on his appearance began, "was grilled Wednesday by an incredulous panel of Democratic senators as he testified about his ignorance of the financial dealings involved in the Watergate scandal."

And then, directly below that, in at least one Midwestern paper: "The Senate Watergate committee has secret sworn testimony indicating that Maurice Stans was told by John Mitchell the full story of the bugging of Democratic Party headquarters a week after the break-in, it was learned Wednesday."

Mafia stuff. And it seemed to go to the top. The nineteenth witness, Jeb Stuart Magruder, testified beginning June 14, under "use immunity," a recent innovation in the criminal law (ironically written by a young White House counsel named John Dean) that stipulated a witness could not be convicted on evidence introduced in the testimony for which he received immunity. Magruder copped to everything he knew. The schemes to infiltrate the Democratic presidential campaigns. The infamous meeting in the attorney general's office in which G. Gordon Liddy unveiled "professionally done" full-color charts outlining "Operation Gemstone," his million-dollar plan to, among other things, kidnap and spirit Democratic conventioneers "to a place like Mexico" to "be returned to this country at the end of the convention," and to outfit a yacht anchored just off the convention site with surveillance equipment and hookers to "obtain information from them." (Senator Ervin: "I am going to ask the audience to please refrain from laughter or any kind of demonstration.") John Mitchell's receipt of the Watergate bug transcripts (the attorney general's only response: this material was "not worth the money . . . paid for it"). And Magruder's work covering up the crime: destroying incriminating evidence; devising the lies about how much money Liddy received and for what; scapegoating Liddy as the operation's architect; and perjuring himself before the grand jury and suborning Hugh Sloan to do the same.

Then, the questions from the panelist. The Man Who Keeps Asking Why homed in on how indifferent, even casual, the conspirators seemed about lawbreaking on behalf the chief constitutional officer of the United States. "I knew you were going to get into this line of questioning," Magruder said, then launched into what sounded like a prepared speech. He spoke of his days attending Williams College, the tony liberal arts school on the Eastern Seaboard, and taking a course in ethics from its chaplain, the Reverend William Sloane Coffin. ("Remember," he used to tell his students, "even if you win the rat race, you're still a rat.") Magruder flashed forward to his work in the White House, as the Vietnam War raged. The antiwar movement was calling the president a warmonger, even a war criminal. But the president, he said, "was trying very diligently to settle the war issue, and we were all against the war—I think this is a primary issue!" He took on a strident tone. "We saw continual violations of the law done by men like William Sloane Coffin!"

It was a very Nixonian moment. Rev. Coffin was precisely the sort of elite WASP liberal against which Nixonites had been defining themselves since Nixon beat Jerry Voorhis for Congress in California in 1946: a scion of New York wealth; a Skull and Bones member recruited by the son of Connecticut senator Prescott Bush; a CIA agent back when that organization was basically a gentlemen's club, who went on to become a minister who occupied one distinguished pulpit after another advocating left-wing social crusades—including, starting in 1967, draft resistance, for which he went on trial.

"Now he tells me my ethics are bad, and yet he was indicted for criminal charges"—

The camera cut to Senator Ervin, looking shocked.

—"and I believe as firmly as they did that the President was correct in this issue. So consequently—and let me just say, when these subjects came up, and I knew that they were illegal and I'm sure that the others did—we had become somewhat inured in using some activities in helping us in accomplishing this in this cause, in what we thought was a legitimate cause."

The response was intense and immediate—a cynosure of the debate over Watergate. Bill Moyers, the former preacher who had been Lyndon Johnson's aide, now a pundit with PBS, pointed out, "Coffin's higher law was God. What was Magruder's? Well, it was clearly Nixon. And I think therein lay the seeds to the entire problem." Rev. Coffin was

reached for comment: "Jesus and Jimmy Hoffa broke the law," he said, "but there's a world of difference between what they did. Whatever we did, we did in the open to oppose an illegal war in Vietnam. What he and the others did they did behind closed doors." The *New York Times* op-ed page extended Rev. Coffin its welcome; on that page he recollected, "I used to say to him, 'You're a nice guy, Jeb, but not yet a good man. You have a lot of charm but little inner strength. And if you don't stand for something you're apt to fall for anything.'" Magruder was, he said, a very 1950s kind of fellow—"agreeing his way through life." He argued that the 1960s had given America the gift of skepticism, that people no longer need to agree their way through life to succeed—and that through Magruder "we have the opportunity to learn . . . the ancient lesson that to do evil in this world you don't have to be evil."

QUESTIONS LIKE THESE WERE HOW WATERGATE TRULY BECAME A NATIONAL conversation—water-cooler fodder for people who didn't know Haldeman from Ehrlichman from Adam. Moments like that were how the crystal-chandeliered hearing room, flanked by fifty-foot Corinthian columns and faced with marble, became as familiar a TV setting as Fred Sanford's junkyard in *Sanford and Son* or Mary Richards's bachelorette apartment in *The Mary Tyler Moore Show*. Watergate was now everywhere—for instance, on the Minneapolis street where CBS filmed the establishing shot for the exterior of Mary Tyler Moore's character's apartment. The building had become an attraction for tourist buses, which was why the owner hung a large banner outside reading "IMPEACH NIXON." It could be agonizing—"like a national funeral that just goes on day after day," Senator J. Bennett Johnston Jr. of Louisiana said. But in a sense it also could be fun.

Father's Day, June 17, dads received gag gifts: A "fine heavy-quality towel with 'Watergate Hotel' embroidered upon it. Let your friends think there was more than one burglary." "A jigsaw puzzle that will bug you." The "Watergate Scandal" card game. ("No one wins, there are just losers.") The *Watergate Comedy Hour* LP (released on the "Hidden Records" label), and Mort Sahl's latest, *Sing a Song of Watergate*. "DON'T BUG ME!" sweatshirts. (Images of ladybugs became ubiquitous, code that its wearer was a Watergate buff.) "Candles for those burned up about Watergate. In red, white, or blue."

Unfamiliar with how criminal defendants talked when trained by criminal lawyers, Americans found the exotic language from the witness table fascinating. Harry Reasoner of ABC did a humor piece on a married couple on vacation arguing about who was responsible for forgetting the toothpaste: "'Since there was no cap on it, I hesitated to place it in my shaving kit, where it might compromise my razor. I assume, in fact my recollection is that I was told, that you would seek out the cap and complete the packing of the toothpaste while I was eating breakfast.'" Such phrases as "at this point in time" and "at that point in time" (legalese for "now" and "then") became the nation's favorite inside joke: On *Sesame Street*, Cookie Monster stood accused of stealing, what else, cookies—an offense, after whispered consultation with his lawyer, he happened not to recollect at this point in time. Then he started eating the microphone.

It was everywhere, and soon it would be even more so. One thing Magruder insisted on throughout his five hours of self-incriminating testimony was that Richard M. Nixon had nothing to do with any of it. That was why John Dean was so intensely anticipated: he was the one who insisted the president had something to do with it all. Dean was scheduled to begin on June 19. Viewers bated their breath.

And then they released their breath, when the committee announced hearings would be postponed for a week while the president hosted Leonid Brezhnev.

THE PRESIDENT WHO NEVER HAD TIME TO WATCH WATERGATE HEARINGS did have time to dash first to a tiny town in the middle of Illinois where Watergate was an "unknown word," the *Chicago Tribune* explained. The *Trib* was incorrect concerning Pekin, Illinois, where Nixon unveiled the cornerstone of a research center dedicated to the late Illinois Republican senator Everett McKinley Dirksen: actually, the crowd was lousy with signs protesting both Watergate and the bombing of Cambodia, though just before the presidential motorcade passed through, Secret Service men confiscated those placards for destruction. In his speech there, the president said, "We live in a time when many people are cynical about politics and politicians," and "it would be a tragedy" to "let our disappointment with some aspects of the system turn into despair with the system as a whole." It would take a cynic, apparently, to point out that Dirksen was the father-in-law of Ervin Committee panelist Howard Baker, and that this might have had *something* to do with why the president chose this particular cornerstone to dedicate following a period in which he made fewer public appearances than in any other month in his presidency.

In Washington on June 18 government employees were excused early from work. They waved Soviet flags before Brezhnev's arriving motorcade. ("How disheartening," a *Washington Post* reader wrote,

"so soon after our returning POWs have been tortured by the Communists!") The global chessboard had been the scene of Nixon's greatest triumphs ever since the freshman congressman had won a berth on a fact-finding commission inquiring into the success of the Marshall Plan in 1947, and once more Nixon scored points: a parley with the premier at Camp David brought agreement on guidelines for restarting arms limitation talks in Geneva and an accord on joint cooperation on peaceful uses for atomic energy. Those meetings were followed by a reception at Nixon's Western White House in San Clemente, where the Soviet leader met Bob Hope, Frank Sinatra, and Gene Autry—and one of the only politicians present: Governor Ronald Reagan, who emerged to once more dismiss Watergate before the press: "I just think it's too bad that it is taking people's attention from what I think is the most brilliant accomplishment of any president of this century, and that is the steady progress towards peace and the easing of tensions."

The distraction didn't work. Monday's *Time* magazine featured a picture of a nebbishy blond man and the cover slug "Dean Talks," reporting the latest leaks: that he would testify that the president discussed granting executive clemency to Howard Hunt ("if true, this is an outright admission of the President's willingness to consider cover-up activity"); that he knew of the cover-up as early as September 15, 1972; that after the Sirica letter the president "discussed with Dean the possibility of his own impeachment—a damaging indication of how seriously Nixon took his own involvement." And also the latest on Dean: that he had "borrowed" four thousand dollars from the secret campaign fund to finance his honeymoon. Senate Minority Leader Hugh Scott was quoted concerning that: "Nothing is so incredible that this turncoat will not be willing to testify it in exchange for a reward. . . . A man who can embezzle can easily tell lies." *Time* also reported that the White House had hired its own private detectives to dig up that particular piece of dirt.

A government lawyer who the *Wall Street Journal* said "had distinguished himself at practically nothing before being admitted to the White House inner sanctum" was about to accuse the President of the United States of criminality. Nothing like it had ever happened before. In Central Park, a busking folksinger tried to make his way through Bob Dylan's "Like a Rolling Stone." But he just couldn't concentrate; he was quivering with joyful anticipation of what beans the young White House counsel might spill to hasten the undoing of Tricky Dick. In suburban D.C., meanwhile, the counsel was prisoner in the home he shared with both his beautiful new wife and, now, a complement of

U.S. marshals; his lawyers took seriously the rumors that he might be rubbed out.

He'd noticed from his only TV interview that his eyelids flickered in a squirrelly twitch. So he dug up a pair of old glasses to wear. Then he went to the barber because his hair was too long. The president, in fact, had once chosen him to sit in on an Oval Office meeting with college newspaper editors because he was the one who looked most like a "hippie."

The barber made polite conversation on the one subject every last customer was interested in: "What do you think of these Watergate hearings?"

"They're pretty interesting, but I haven't been able to see much of them."

"I'll say they're interesting. I'm bringing my TV set to the shop next week. I want to see this guy Dean get his butt kicked."

"Yeah, that's going to be something. We'll find out what the squealer has to say for himself."

"Right. You know, I can't imagine a guy lying that way about President Nixon. The guy is crazy, maybe."

"Could be," John Dean said, with all sincerity.

ABC'S VOLUBLE CAPITOL HILL REPORTER SAM DONALDSON AND ANCHORman Frank Reynolds bantered back and forth like football announcers before the big game. Donaldson explained that the room was always standing room only for these hearings. "But today the *staff* members, and they can be pretty blasé here on Capitol Hill, have a line outside, and that line stretched all the way down the hall this morning." A sprig of curled wire sprouted from his ear, he fanned a sheath of paper: "The word is that the Xerox broke down! So they could only get out 98 pages!" Dean's full statement was 245 pages. That made it all the more suspenseful. No one knew what he was going to say.

How, Reynolds wondered, with all the imprecations flying around that John Dean was a self-serving prevaricator, could viewers know whether he was making all this up?

Answered Donaldson: "Well, many of the lawyers on this committee say you just look at him the same way you'd look at any witness: Does he look credible? Does he sound credible? You test his story against the stories of others. Where are there discrepancies? How many people buttress him?"

Reynolds: "But on the question of conversations Dean has while

White House janissaries from insane acts. He got the Secret Service to talk to the man instead. Orders also constantly came demanding he task the FBI and CIA with figuring out whether protests were being run by Democratic Party saboteurs. "We never found a scintilla of viable evidence," Dean said. "This was explained to Mr. Haldeman, but the President believed the opposite was, in fact, true." A madman, it seemed, lived in the White House.

Leaks were an obsession. Dean elaborated on a story that had percolated in the media for months: the White House plan to firebomb the Brookings Institution, to uncover alleged damning information about the Kennedy administration. Dean said presidential confidant Charles Colson personally ordered him to arrange it. Dean then flew to San Clemente at the earliest possible moment to stop it.

Then there was the proposed twenty-four-hour surveillance of Senator Ted Kennedy. Dean said he had sought to turn that off, too, by arguing that stalking a man whose two brothers had been murdered by mysterious gunmen might prove an unwise proposition. Surveillance continued nonetheless. One of the documents Dean introduced into evidence was a 1971 spy report on Kennedy's stay at a private estate in Honolulu: "Discreet inquiry determined that Kennedy used the estate solely for sleeping purposes."

Illegal spying operations, Dean said, had been continuous. "Operation Sandwedge": an attempt to create a dummy security corporation ("Security Consulting Group") to support "the capacity to provide 'bag men' to carry money and engage in electronic surveillance." "Operation Gemstone": Dean described what it was like in the attorney general's office at that infamous January 24, 1972, meeting in which Gordon Liddy proposed hiring prostitutes to entrap Democrats at their national convention, and docking a boat offshore to incarcerate protest leaders. "I recall Liddy saying that the girls would be high class and the best in the business."

Guffaws.

He remembered Liddy's excuse after his men were caught at the Watergate: that it was Magruder's fault for cutting his spying budget. And that Liddy "told me that he was a soldier and would never talk." Then he told the mind-blowing story of cleaning out Howard Hunt's safe. The General Services Administration was summoned to open it using drills. Dean took custody of a briefcase inside the safe that "contained loose wires; Chapsticks—for your lips—with wires coming out of them; and instruction sheets for walkie-talkies"; and the forged cables meant

with the President, how does the committee go about getting corroborating or discrediting testimony on that?"

Now there was a question: *could you* call the president before a Senate panel to ask whether or not he was a liar?

At which, with perfect dramatic timing, the doughy-faced chairman in a cream-colored summer suit and yellow tie stirred into action.

"There's the gavel! Sam Ervin, the chairman, and the session is under way!"

HE LOOKED HARDLY MORE THAN A BOY. BEHIND HIM SAT HIS BEAUTIFUL wife, Maureen, her hair piled tight in a blond bun, eyes green, eyebrows gorgeously shaped. There was another contrast, too, with all the other witnesses: they all had had lawyers beside them to whisper in their ears. Dean was alone.

He began reading the statement he had been working on in isolation since April. It would take him all day. He got a ninety-minute break for lunch—which he spent lying on his back, exhausted.

The voice belied the baby face: deep, even, intense, a monotone. As a rhetorical strategy, for five days John Dean would fight every urge to emote, even to smile. "Laughter," he had told himself, "sounds insincere." Photographers crouched before the table pointing their cannons at him, elbowing each other for angles, and he reacted not at all. For minutes at a time, hunched, he did not even look up. From time to time he took birdlike sips of water. His text was unliterary, unadorned; it simply reconstructed everything relevant he could remember about his White House experience. The most astonishing revelations, and he read them like a grocery list.

First he explained what he had learned immediately upon his ascension to White House counsel: the abiding obsession of the President of the United States was not foreign policy, nor getting his program through Congress, nor even his reelection. It was protesters—any protester, no matter how innocuous: even the lone man, one day, who stretched out a ten-foot banner in Lafayette Park across from the White House. The word came straight from Dwight Chapin, the president's personal assistant: "get some 'thugs' to remove that man from Lafayette Park." (The gallery murmured. Ervin admonished them: "The audience is here by the consent of the committee, and I am going to request the audience to refrain from giving expression of their feelings by laughter or otherwise.") Dean described his role in that incident as the one, he claimed, to which he would become most accustomed: talking down

to frame John F. Kennedy in the assassination of South Vietnam's President Diem. He then said Chief of Staff Haldeman had been the one who ordered the destruction of it all:

"I remember well his instructions. He told me to shred the documents and 'deep six' the briefcase. I asked him what he meant by 'deep six.' He leaned back in his chair and said: 'You drive across the river on your way home at night—don't you?' I said, 'yes.' He said, 'Well, when you cross over the bridge on your way home, just toss the briefcase into the river.'"

Murmurs.

He methodically described his attempts to influence the CIA to shut down the FBI's Watergate investigation, his arrangements with Herbert Kalmbach (at the instruction of John Mitchell and with the approval of Haldeman and Ehrlichman) to finance the payoff to the defendants to perjure themselves. Then the proceedings recessed for lunch.

Frank Reynolds, lips pursed, looked haunted. "Very difficult to summarize what Dean said," the anchorman uttered. "Every paragraph contains some sort of a bombshell." But "if you found this morning's testimony startling, I can only say that you will find this afternoon's testimony equally startling." And as he previewed the extraordinary things they would hear about the conduct of the President of the United States, innocence seemed to drain from his face.

FOR MORE THAN A YEAR RICHARD NIXON HAD BEEN CONSISTENT: NOT just that he hadn't known anything about plans to burglarize any buildings, but that in the aftermath he had cordoned himself off from any knowledge of it so as not to influence the course of justice. Alleged promises of executive clemency, money offered to defendants to testify in a certain way, even the lawsuits the Republican National Committee had taken out against the Democratic National Committee for defamation: he had learned about all of that in the newspapers—until, he always adamantly insisted, March 21, when, as he had explained while looking the American people in the eye back on April 17, John Dean schooled him on the cover-up, and he turned all the power at his disposal toward making sure justice was served.

Methodically, Dean led the panel through his personal meetings with the president that he said showed each of these claims were lies.

On September 15, 1972: the president called Dean in for a stroking session to congratulate him on his work keeping the suspicion limited to Liddy—Nixon expressing special delight when Dean volunteered that he had made ex parte contacts with the judge handling the DNC's civil case, to influence him. "I left the meeting with the impression that the President was well aware of what had been going on," he concluded.

Then, after his re-inauguration, in February: Nixon called Dean into the Oval Office and said that from now on he would be reporting directly to the president with Watergate updates. It was a reward for having helped shut down a House Watergate inquiry; distracting the media from the Oval Office's direct ties to campaign dirty trickster Donald Segretti; working to launder donations left over from the 1968 campaign into a bribery slush fund; and plotting strategy on how to deal with the Ervin Committee. Dean said he kept trying to warn Nixon: that the cover-up since June 17 had been criminal; that he, Dean, shared culpability; and that perhaps the president did not want a liaison in the Oval Office who was guilty of obstruction of justice. "He would not accept my analysis and did not want me to go into detail."

March 13: "I told the President that there was no money to pay these individuals to meet their demands. He asked me how much it would cost. I told him that I could only estimate, that it might be as high as a million dollars or more. He told me that was no problem and he also looked over at Haldeman and repeated the statement."

The President of the United States, talking like a mafia don.

March 21: "I began by telling the President that there was a cancer growing on the presidency, and if the cancer was not removed, that the President himself would be killed by it." He related how, in a panic, he reviewed for the president the whole story: the Gemstone meetings in Mitchell's office; Haldeman's and Mitchell's receipt of wiretap transcripts; Kalmbach raising and distributing hush money; Magruder's perjury. "I concluded by saying that it is going to take continued perjury and continued support of these individuals to perpetuate the cover-up and that I did not believe that it was possible to continue it."

The bizarre meeting of April 15: "The President recalled the fact that at one point we had discussed the difficulty in raising money and that he had said that $1 million was nothing to raise to pay to maintain the silence of the defendants. He said that he had, of course, only been joking when he made that comment." Dean then described the curious moment when the president got out of his chair, went to a corner of his office, "and in a nearly inaudible tone said to me he was probably foolish to have discussed Hunt's clemency with Colson." As they took their leave, Dean said he "told the President that I hoped that my going to the prosecutors and telling the truth would not result in the impeachment of the president. He jokingly said, 'I certainly hope so also,' and he said it would be handled properly."

At that, anchorman Reynolds looked like a balloon relieved of its air. "Well. Lotsa laughs," he said. "Huh," he added, practically under his breath.

DEAN'S WEEK AT THE GREEN TABLE STOPPED BUSINESS IN THE OFFICES OF high White House officials. House Republicans skipped debates on the floor, glued to a TV set installed in their cloakroom. Evans and Novak reported that most "reluctantly gave Dean high marks as a witness," and that his testimony "may have finally broken the self-confidence of the Nixon administration. If that has happened, the President's painful choice lies between resignation or a presidency crippled far into the future."

The second day commenced with his grilling by the panel. The committee's brilliant majority counsel, Sam Dash, author of the standard legal study on the subject of wiretapping, asked if the president had known of the illegality of the cover-up. Dean, heart-stoppingly, said that was obviously the case. The minority counsel, Fred Thompson, a young sideburned and dandyish former assistant U.S. attorney only recently responsible for putting away bank robbers and moonshiners back in Tennessee, tried with considerably less sharpness to impeach Dean's motives. And when Senator Eugene Talmadge, Democrat of Georgia, took his turn, he displayed a list Dean had submitted of all the people in the White House and on the reelection committee who Dean believed had violated laws. He asked Dean the significance of the asterisks beside most of names. They all were lawyers, Dean explained.

Laughter.

Lunch break.

Frank Reynolds summarized the day so far: "He seemed to retain his composure and so far as we can tell right now was not caught in any contradictions."

Donaldson described the passing scene: senators and journalists milling about, spectators buzzing excitedly, Dean pulling himself into a tight circle with "with some lawyers," "some aides," and "some bodyguards."

Reynolds, with a start: "He has bodyguards?"

He did. Woodward and Bernstein had picked up what they thought were credible rumors that there might be attempts to assassinate him. Innocence was melting all over.

Commercials for Clairol Naturally Blond Colors ("I'm mist... I'm fawn... I'm surf... I'm buttercup!") and Final Net ("So you *finally* got little Janie married!"). Senator Lowell Weicker, Republican of Connecticut, took over. He cut an imposing enough figure: six foot

six, 250 pounds, gruff-voiced, born in Paris, Yale '53, heir to an industrial fortune—an East Coast aristocrat with the confidence proper to the class. When he had been named to the Ervin Committee, he hired his own private investigative staff. In his May 17 opening statement he called Watergate "the acts of men who almost stole America." Now he developed a line of questioning running through a mind-numbingly diverse array of *other* Nixon-related thefts of America: another blizzard of names, dates, organizations, activities for those who couldn't keep track of it all already.

It was when Weicker began inquiring into the details of Dean's filing system that people abruptly woke up.

"Just briefly—and this will end my questioning, and I apologize to the committee for taking so much time, but it is a subject that I confess I don't have every last bit of information on. It is a difficult thing to piece together, but I think it is a very important part of the story—"

Most people had long ago lost the thread of what precisely the story at that point was supposed to be about. It involved something called the "Intelligence Evaluation Committee," which turned out not to have been involved in anything improper: "As I say," Dean said wearily, "I don't know of the IEC itself preparing political material." He appeared to be taking pity on his overeager interrogator, determined to lead him toward a more promising scent.

"Of course," he then said, "as I have submitted in documents, other agencies were involved in seeking politically embarrassing information on individuals who were thought to be enemies of the White House. I might also add that in my possession is a rather, very much down the line to what you are talking about, is a memorandum that was requested by me to prepare a means to attack the enemies of the White House. There was also maintained what was called an 'enemies list,' which was rather extensive and continually being updated."

Now the murmuring lasted a full five seconds. Maureen "Mo" Dean broke into a smile. Some reporters broke out in giggles. A boring afternoon had been electrified. And Richard Nixon's "enemies list" became the new national obsession.

Carol Channing, it appeared from the documents soon entered into committee records, was on the Enemies List. So were Paul Newman and Steve McQueen. And Barbra Streisand, and composer-conductor Leonard Bernstein. And the general secretary of the World Council of Churches. Ten Democratic senators and the twelve black members of the House. Newspapers like the *New York Times*, the *St. Louis Post-Dispatch*, and, of course, the *Washington Post*. Andy Warhol made the

cut (the result of an accounting fluke: he donated 350 posters of Richard Nixon reading "Vote McGovern" to the Democrat's presidential campaign, and they were reported as being worth $350,000, making him one of McGovern's biggest donors). The head of United Artists, the film studio. ("Success here could be both debilitating and very embarrassing to the Muskie Machine.") A principal in "[t]he top Democratic advertising firm—they destroyed Goldwater in '64. They should be hit hard." Morton Halperin, a former Kissinger staffer, now an executive in the open-government group Common Cause. ("A Scandal would be most helpful here.") Mary McGrory of the *Post*. New York Jets quarterback Joe Namath, whose inclusion was exceedingly curious: the long-haired, mustache-and-fur-coat-wearing Casanova avoided politics except for his ostentatious patriotism. (A proposal was offered after the 1972 Olympics to revivify their cosmopolitan spirit by removing national anthems from medal ceremonies; Namath vociferously complained.) At least one "enemy," an aide to the hawkish Democratic senator Scoop Jackson, was a fervent Nixon supporter. "Heaven help us," he reacted, "if this is the slipshod way they do their intelligence work." Another, a *Baltimore Sun* reporter, had been dead for three months when his name was added.

Many considered inclusion an honor; Daniel Schorr said he prized it "more highly than my Emmy award." A *Wall Street Journal* reporter wrote of his suspicion about what acts might have got him listed: maybe the time he wrote of "the Madison Avenue fuzziness Mr. Ziegler brings to the English language," or when his wife announced at a party thrown by a White House speechwriter that they used an ashtray embossed with the presidential seal as a dog dish. Administration critics who were left off complained of the oversight. A fashionable bar in Manhattan held a party with the Enemies List as guest list. A gag book, *White House Enemies; Or, How We Made the Dean's List*, printed the names (more than two hundred, all told), the relevant memos, wacky political cartoons, a word search, and an Art Buchwald column, all wrapped in a cover depicting Nixon as a Nazi matron guarding twenty "enemies" in striped prison suits behind barbed wire. Others did not find it funny. William F. Buckley Jr. said the Enemies List was "fascist in its reliance on the state as the instrument of harassment."

So what did the "enemies list" really signify? Charles Colson, its primary author, claimed a benign purpose: to "keep the social office, the personnel office, the press office, the counsel's office, and other offices in the White House advised of persons who had been particularly supportive of the President or persons who had been particularly critical of the President." A document introduced into the record written by Dean and dated August 16, 1971, suggested differently. It asked: "How can we use the available federal machinery to screw our political enemies?"

It wouldn't be easy, the memo allowed; the Internal Revenue Service was "dominated and controlled by Democrats." Where there had been a will, however, there had been a way: presently, "enemies" from Andy Warhol to Walter Mondale to the author of an investigative series in *Newsday* on Nixon's friend Bebe Rebozo stepped forward to report that they had seen their tax returns aggressively audited during precisely the period in question.

SENATOR DANIEL INOUYE, THE JAPANESE-AMERICAN MEDAL OF HONOR winner whose right arm had been amputated during World War II, took his turn questioning Dean. At a February meeting in California in which the Watergate principals strategized about the just-announced members of the Ervin Committee, Ehrlichman punned on his name as "Ain't-no-way," as in "ain't no way he's going to give us anything but problems." But there is an old joke that defines a liberal as someone who can't even take his own side in an argument. Perhaps that was why this liberal used his time on Dean's third day by reading thirty-nine questions White House counsel Fred Buzhardt had prepared with the help of a young White House aide named Diane Sawyer to challenge Dean's testimony. This, since Nixon was refusing to testify, Inouye said in his aristocratic voice, would "give the President his day in court."

"There is no reason to doubt," the document read, "that John Dean was the principal actor in the Watergate cover-up," with "a great interest in covering up for himself." It went on to portray Dean as the instigator, on behalf of his patron John Mitchell, of the Watergate burglary itself. For more than an hour and a half, Dean punched through the inquisition effortlessly. The next day the White House backtracked, sending out a deputy press secretary to claim the questions hadn't come from the White House at all, but from Buzhardt acting in his capacity as an independent citizen. Reporters joked they had been rendered "inoperative."

The third day the Man Who Keeps Asking Why had his turn. "The net sum of your testimony is fairly mind-boggling," Senator Baker began. He said he had no desire to impeach it. He was interested, however, in context. He stated the central question in a way that would be repeated again and again in the months to come. "What did the President know and when did he know it?" It reverberated. It named the stakes.

At which, at Baker's prompting, Dean went through his recollections once more—demonstrating that the president knew quite a lot,

quite early in the game. At least if you trusted John Dean. That was the bottom line: it was his word against the president's. "The record is essentially incomplete if we don't have the testimony of all those present," Baker pointed out at adjournment. "The man who can tell us what was in the President's mind is the President." He said he hoped his old friend might testify. A White House spokesman quickly announced that for Nixon to do so would do "irreparable damage" to the Constitution.

CHAPTER EIGHT

Nostalgia

THE SUSPICIOUS CIRCLES FOUND THE PRESIDENT'S RETREAT BEHIND THE Constitution excruciating. The man he had made his attorney general, John Mitchell, after all, had arrogated for himself such extraordinary powers to surveil without a warrant that the Supreme Court had smacked him down unanimously. John Mitchell was the man who had allowed G. Gordon Liddy to drone on in the sacred citadel of justice about plans to kidnap, spy on, and entrap Democrats with prostitutes. Who was under indictment for arranging an illegal quid pro quo donation of $200,000 in cash passed over in a suitcase. And on July 10, this paragon of constitutionalism would have his day at the witness table to defend himself before the American people.

The Ervin Committee had adjourned for a long Independence Day holiday. In the interim, American morality seemed all but to disintegrate. In Atlantic City, boxer Ernie Terrell lost to Chuck Wepner in a decision so fishy it touched off a near riot. Terrell, asked if he could believe what had just happened, said, "I didn't believe Watergate could happen. I didn't believe John F. Kennedy and Malcolm X could have been assassinated." In Texas, an industrial poultry farm drowned forty-three thousand baby chicks, claiming it was cheaper than feeding them grain. In New Orleans an arsonist torched a gay bar, killing twenty-nine. In Illinois, a former governor, Otto Kerner Jr., faced a jail term. Democratic senator Jim Abourezk of South Dakota accused Big Oil of an "artificially contrived" shortage "to force the independent sector of the industry out of business and to get a price increase."

You could read several stories a day now about the new postdraft, post-Vietnam military careening between disciplinary breakdown and disciplinary overreach, a supposedly bedrock institution in utter identity confusion. The U.S. Air Force Academy tossed out two professors for criticizing the Pentagon—while simultaneously boasting of new, post-Vietnam "progressive" and "enlightened" disciplinary latitude, even while suffering a 40 percent attrition rate after three major

cheating scandals in a row. Then came news that fifteen Air Force cadets had been hospitalized after "survival, evasion, resistance, and escape" (SERE) training in an exercise simulating a mock POW camp, in which they were forced to squat on their haunches for hours at a time, were slapped and switched with tree branches, and were stuck all night in isolation boxes in which they could neither stand nor lie down.

Pentagon studies disclosed nearly half of low-ranking Navy and Army personnel suffered an "exceptionally high rate of binge drinking, belligerence while drinking, and job, police, and financial problems relating to alcohol." At West Point, nineteen cadets were under investigation for participating in a cheating ring, just as a cadet named James Pelosi was found guilty by his peers of an honor violation—not putting down his pencil the instant the order to cease work was given on an examination—and was exonerated on a technicality by a board of officers. His resentful classmates then submitted him to "silence," a grotesque underground torment in which no cadet would make even eye contact with him until he resigned. He refused for more than a year and a half, losing twenty-six pounds from the stress. "The whole academy class should be tested psychologically to detect dormant sadism that might result in future Vietnams," wrote a reader in *Time*.

Admiral Stockdale filed treason charges against two more members of the POW Peace Committee. One of them committed suicide.

This was the United States, the week of its 197th birthday. "The Roman Empire crumbled from within," wrote a Chicagoan in the *Tribune*. "Isn't that what is happening to us?"

So when the sixty-seventh attorney general of the United States denied outright what six previous witnesses had attested to in sworn statements before Congress, it just seemed like the way of the world. Mitchell offered no quarter, either growling, glowering, or sitting in stony silence in the face of questions he did not prefer, cracking sadistic one-liners at the ones he deigned to answer. He knew nothing. The panel reacted with incredulity. He had frequently cruised along the Potomac with Nixon on the presidential yacht *Sequoia*, they pointed out, and yet the president had never bothered to ask him what he knew about Watergate? (No—and if he had, "I would have spelled it out chapter and verse.") Why, they asked, hadn't Mitchell told him the truth of his own accord? Because, he answered, then the president would "lower the boom," turn Watergate into a huge national story, and threaten his own reelection.

The brazenness of his answers astonished them. Why hadn't he thrown Liddy out of his office, with all his talk of kidnapping and call girls? "I should have thrown him out the window." Why hadn't he done more to hasten justice for the burglars? He replied, "It would have been simpler to take them out on the White House lawn and shoot them all." When they grilled him about why he continued to do nothing as the scandal mounted, with breathtaking cynicism he replied that they had an election coming up, and coming clean would only lead investigators to even more offensive "White House horror stories"—horror stories he glibly acknowledged: the ITT scandal, the Diem cable forgery, other "alleged extracurricular activities in the bugging area," the Brookings firebombing rumbling, "miscellaneous matters" concerning Senator Kennedy; "this, that, and the other thing."

Senator Talmadge pressed: "Am I to understand from your response that you place the expediency of the next election above your responsibilities as an intimate to advise the President of the peril that surrounded him? . . . *Did you state* that the expedience of the election was more important than that?"

"Senator, I think you have put it exactly correct. In my mind, the re-election of Richard Nixon, compared to what was available on the other side, was so much more important that I put it in just that context."

Then why not, Senator Inouye asked later, lower the boom *after* Election Day? Because, Mitchell replied, that would be "a detriment" to a successful second term.

He said he had never approved any bugging operations; Magruder's claim that he had was a "palpable, damnable lie." And since Mitchell wouldn't acknowledge the truth of a single thing any other witness said—and the president could never be cross-examined—an awful, awesome dread settled upon anyone who wished this particular horror might somehow, someday, *end:* "Watergate" could only ever resolve to a bog of crosscutting claims. A waste of time. A civic catastrophe.

Then Mitchell dropped his cool.

If he had known about the burglary at Ellsberg's psychiatrist's office, Senator Weicker asked, why didn't he honor his oath as attorney general and tell the Ellsberg trial judge about it?

Mitchell pulled away from the green table in rage; stood up, face flushed; and exclaimed: "It's a great trial being conducted here, isn't it!"

Senator Ervin pointed out that the Constitution said the president had an obligation, not to win reelection or even carry out a successful second term, but to "faithfully execute the laws." What about that? For a brief moment Mitchell dropped his amoral front. "I think," the former attorney general admitted, "that is a reasonable interpretation of the subject matter and, of course, in reflection it is a serious one."

PERHAPS THE PRESIDENT, IF UNCONSCIOUSLY, AGREED. HIS PERSONAL physician claimed he had never been sick while he was president, and recalled only once prescribing him medicine—for a sore throat, in 1959, in Moscow. And then, at 5:30 on the morning of Mitchell's third day in the hot seat, the president called for his doctor, complaining of discomfort on the right side of his chest. The symptoms receded; then, at midday, he took a call from Senator Ervin informing him of the committee's unanimous resolution to access every federal government document "relevant to or proving or disproving any matters the committee is authorized to investigate," specifically every piece of paper prepared or received by John W. Dean.

Shortly thereafter, the symptoms returned.

At the elevator to a suite at Bethesda Naval Hospital the Secret Service set up a command post containing a white telephone with several push-button lines. White House crews moved in half a dozen heavy metal boxes of the sort used to carry papers on presidential trips, and two attaché cases, one black and one brown—the nuclear "football." At eight thirty that night the president checked in. He'd be there, doctors said, possibly a week. Suspicious circles were not the only ones to suspect the illness was psychosomatic. One constituent from North Carolina wrote to his senator blaming him for "bugging the Pres. of the U.S. until you caused him to get sick."

FRIDAY THE THIRTEENTH, AND THE BAD LUCK WAS ALL THE PRESIDENT'S. At a closed-door interview with committee staff, a young bureaucrat with a comb-over offered a clue about the curious moment Dean described on April 15 when the president got out of his chair, went to a corner of his office, and uttered unexpected words of contrition. Sitting before the television cameras that Monday, he introduced himself as Alexander Butterfield, "the Administrator of the Federal Aviation Administration," explaining his job had once been the "smooth running of the President's official day." Sam Dash explained that the reason this witness was appearing voluntarily and without counsel on only three hours' notice was that "at a staff interview with Mr. Butterfield on Friday some very significant information was elicited."

Hardly any preliminaries. Fred Thompson, in an officious tone of voice, hurriedly asked him, "Mr. Butterfield, are you aware of the installation of any listening devices in the Oval Office of the President?"

On the TV feed, a reporter who had been nodding off—these colloquies were becoming awfully routine—whipped his head around with a start.

"I was aware of listening devices; yes, sir."

Another reporter looked up. His mouth was agape. Of an instant the bottom had dropped out of everything anyone thought they knew about Watergate.

The moment was sublime, uncanny. An awe at recording technology, and the suffusing dread it produced in an increasingly paranoid culture, had been a fixture of the political culture long before Butterfield spoke. The *Washington Post*'s first editorial on the Watergate burglars quoted *Mission: Impossible:* "This tape will self-destruct in five seconds . . . good luck." A *Time* cover in April, 1973, featured Nixon, Dean, Haldeman, Ehrlichman, et al. entangled in audiotape; a *New York Times* Week in Review graphic a month later featured a man being stabbed in the back while operating a reel-to-reel tape recorder, to illustrate the unlovely tendency of Watergate principals to tape their phone conversations. One day, a boring stretch of hearing was broken when it was revealed that Nixon taped phone calls with his own brother Donald. Senator Lowell Weicker read aloud a transcript of a conversation between Ehrlichman and Richard Kleindienst about how to screw . . . Senator Lowell Weicker. On the funny pages a character in *Boner's Arc* swore to keep a piece of gossip in confidence—then grabbed her reel-to-reel to record it. Francis Ford Coppola's "thriller about privacy," *The Conversation*, was in production; it starred Gene Hackman as a surveillance technician consumed by paranoia following his efforts to get to the bottom of a murder he has accidentally recorded with a powerful long-distance microphone. It was as if the zeitgeist could predict what was coming.

The facts, Butterfield explained, were these: In 1970 the president installed listening devices in the Oval Office, his Old Executive Office Building "hideaway" office, and the White House Cabinet Room—"of course for historical purposes," he meekly clarified, as if to shield himself from the awful burden of having just changed the course of history himself. The system was voice activated, and operated continuously. It was sensitive to the point of a whisper. Besides Butterfield, two other of Nixon's lowly personal aides, and three Secret Service agents, no other official except Bob Haldeman knew about the system. ("No kidding," the former attorney general Richard Kleindienst exhaled in astonishment upon hearing the news on a business trip in London.)

Sam Dash teased out implications. Did the president ever *turn off* this silent witness to his every utterance? "No, sir. As a matter of fact,

the President seemed to be totally, really oblivious, or certainly uninhibited by this fact."

"The tapes you mentioned were stored, are they stored by a particular date?"

"Yes, sir, they are."

For anyone for whom it was not yet clear, Dash clarified the awesome import:

"If either Mr. Dean, Mr. Haldeman, Mr. Ehrlichman, or Mr. Colson had particular meetings in the Oval Office with the President on any particular dates that have been testified before this committee, there would be a tape recording with the President of that full conversation, would there not?"

There would be indeed. Dash had only one more question—the only one now that mattered: "What would be the best way to reconstruct those conversations, Mr. Butterfield, in the President's Oval Office?"

"Well, in the obvious manner," Butterfield responded: "to obtain the tape and play it."

That meant it would not just be Dean's word against the president's—if only the committee could subpoena those tapes.

THE FIRST SCENE IN THAT THRILLER UNFOLDED AT THE WHITE HOUSE West Gate, where two young staffers of the special prosecutor's office arrived with a subpoena for tapes of nine key conversations—the first subpoena of a president since Aaron Burr's treason trial in 1805.

The president, amazed that anyone as close to him as Butterfield would not have understood that the correct answer to questions he'd been asked was "executive privilege," from his hospital bed, addressed a letter to Judge Sirica, who would be deciding this Watergate case, too: "With the utmost respect for the court of which you are chief judge, and for the branch of government of which it is a part, I must decline to obey the command of that subpoena. In doing so I follow the example of a long line of my predecessors as President of the United States who have consistently adhered to the position that the President is not subject to compulsory process from the courts." Two other letters he addressed to the Watergate committee concerning their own subpoena. In one, the president asserted that the "special nature of tape recordings of private conversations" made them even more privileged than paper documents, because they "contain comments that persons with different perspectives would inevitably interpret in different ways." The other letter indicated he refused to meet to discuss the matter.

Ervin read both letters aloud in the caucus room, drawling out a response in indubitably Ervinian fashion: The president was not "immune from all the duties and responsibilities which devolve upon all the other mortals who dwell in this land." He said the crisis was worse than the Civil War—was, in fact, "the greatest tragedy this country has ever suffered." And, live on national TV, his committee voted unanimously to sue the President of the United States. That was unprecedented, too.

Judge Sirica set arguments for August 7. President Nixon announced he would listen only to the opinion of the Supreme Court—four of whose nine members, cynics pointed out, he had appointed. A showdown between the Constitution's three branches was set. It would unspool for months—while the TV melodrama rolled on, audiences more riveted than ever.

Herbert Kalmbach sat down at the great green table after Butterfield was dismissed. He described his consternation with the "James Bond scenario" he had been drafted into: passing wads of hundred-dollar bills in hotel rooms to a man he knew only under aliases. The man was Anthony Ulasewicz, the Runyonesque former New York City cop on call whenever the White House needed a man in the shadows. Kalmbach had barreled into John Ehrlichman's office in July 1972, imploring reassurance: "John, I am looking right into your eyes," he recollected saying. "I know Jeanne and your family, you know Barbara and my family. You know that my family and my reputation mean everything to me, and it is just absolutely necessary, John, that you tell me, first that John Dean has the authority to direct me in this assignment"—in other words, that John Dean was not acting on his own but that he had the approval of a higher-up—"that it is a proper assignment, and that I am to go forward with it."

"And did he look you in the eyes?" Sam Dash asked.

"Yes, he did."

"What did he say to you?"

"He said, 'Herb, John Dean does have the authority, it is proper, and you are to go forward.'"

THE REVELATION OF TAPES RAISED ANTICIPATION THAT THE SLUICE GATES of truth might finally open. Then John Ehrlichman and Bob Haldeman testified for eight days between them through early August, and dashed those hopes. Ehrlichman, who claimed "no recollection" of any such conversation with Kalmbach, was supposed to be the nice guy of the team. Not this week. Senator Ervin sanctimoniously recited the parable of the Good Samaritan. Ehrlichman snapped back, "I read the